



1-1

**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT**

**PLANNING COMMISSION**

*Promoting the wise use of land  
Helping build great communities*

<b>MEETING DATE</b> February 9, 2006	<b>CONTACT/PHONE</b> Marsha Lee 788-2008	<b>APPLICANT</b> TDC Ranch, LLC/Casey O'Connor	<b>FILE NO.</b> TRACT 2758 SUB2004-00389
<b>SUBJECT</b> Request by Takken Development Company for a Vesting Tentative Tract Map and Conditional Use Permit to subdivide four existing parcels totaling approximately 6.4 acres into a 46 unit Planned Unit Development including: creation of 46 parcels of approximately 3,800 square feet each for the purpose of sale and/or development, construction of 46 two-story approximately 1850 sq.ft. to 2069 sq.ft detached residential units, construction of two parks of approximately 7,000 square feet each, construction of one park of approximately 2,000 square feet, creation of three on-site roads, and off-site road improvements to 25 <sup>th</sup> Street. The project will result in the disturbance of approximately 6.4 acres of a 6.4 acre site, and involve approximately 18,000 cubic yards of cut and 11,000 cubic yards of fill. The proposed road names have not been provided. The proposed project is within the Residential Single Family land use category and is located 200 feet north of the intersection of 25 <sup>th</sup> Street and Paso Robles Street in the community of Oceano. The site is in the San Luis Bay Inland planning area.			
<b>RECOMMENDED ACTION</b> 1. Adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Vesting Tentative Tract 2758 and Conditional Use Permit SUB2004-00389 based on the findings listed in Exhibits A and C, and the conditions listed in Exhibits B and D.			
<b>ENVIRONMENTAL DETERMINATION</b> The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on December 15, 2005 for this project. Mitigation measures are proposed to address aesthetics, air quality, agriculture, cultural resources, and transportation and circulation and are included as conditions of approval.			
<b>LAND USE CATEGORY</b> Residential Single Family	<b>COMBINING DESIGNATION</b> Airport Review Area	<b>ASSESSOR PARCEL NUMBER</b> 062-073-005; 062-073-006; 062-073-015; 062-074-013	<b>SUPERVISOR</b> DISTRICT(S) 4
<b>PLANNING AREA STANDARDS:</b> Sec. 22.106.070.A.1 -- Oceano Specific Plan Sec. 22.106.070.A.2 -- Curb, Gutter and Sidewalk Sec. 22.106.070.B -- Airport Review Area Sec. 22.106.070.F -- Residential Single Family. Density and use requirements. <i>Does the project conform to the Planning Area Standards - Yes</i>			
<b>LAND USE ORDINANCE STANDARDS:</b> Ch. 22.10 -- Development Standards (Fencing, screening, density, solid waste collection) Ch. 22.16 -- Landscaping Ch. 22.18 -- Parking Sec. 22.22.080 -- Residential Single Family Category -D. Planned Development			
<b>EXISTING USES:</b> Old avocado grove; two farmhouses			
<b>SURROUNDING LAND USE CATEGORIES AND USES:</b> <i>North:</i> Residential Single Family/ residences <i>East:</i> Residential Single Family/ residences <i>South:</i> Residential Single Family/ residences <i>West:</i> Residential Single Family/ residences			
<b>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING &amp; BUILDING AT:</b> COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

1-2

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT:

The project was referred to: Oceano/Halcyon Community Advisory Group, Public Works, Environmental Health, Ag Commissioner, County Parks, Oceano Community Services District (includes Fire), ALUC, APCD, Cal Trans, RWQCB; Lucia Mar; PG&E; Pacific Telephone; So. Cal Gas, Charter Cable TV; & Postal Service

TOPOGRAPHY:

moderately sloping

VEGETATION:

Older avocado orchard, grasses, forbs

PROPOSED SERVICES:

Water supply: Community system-Oceano CSD  
Sewage Disposal: Community sewage disposal system-Oceano CSD  
Fire Protection: Oceano CSD

ACCEPTANCE DATE:

September 30, 2005

ORDINANCE COMPLIANCE:

Parcel Size, Density and Development Standards

The request is for a planned development located in a Residential Single Family land use category. Section 22.22.080 (D. Condominiums) of the Land use Ordinance allows for planned developments as follows: states "A condominium, planned development or similar residential unit ownership project in compliance with Subdivision Map Act Sections 66427 et seq. may use smaller parcel sizes to be determined by the review authority through Conditional Use Permit approval as set forth in Section 22.62.060, provided that: 1. The common ownership external parcel is in compliance with the provisions of this Section." The proposed project contains common ownership of the park areas (Lots 48, 49, and 51) and roads (Lots 47 and 50) and thereby meets this requirement.

The advantage of planned developments is a more efficient use of land, opportunities to provide more usable common areas, better connectivity, smaller lot sizes, narrow and privately maintained streets, and a more creative lot arrangement than may be found in conventional residential tracts. The proposed project density is in compliance with Section 22.22.080 of the Land Use Ordinance because the minimum single family lot size, 6000 square feet for the 6.4 acre site results in 46 units or a density of 7.2 units per acre.

Sections 22.10, 16, and 18 of the Land Use Ordinance establishes Development Standards. The proposed Tract Map and Conditional Use Permit meets all requirements as follows:

<u>Standard</u>	<u>Allowed/Required</u>	<u>Proposed</u>
Minimum Site Area	6,000 square feet	6.4 acres
Density	6.4 acres (278,668 Sq.Ft.) @ 6000 SF = (46 units)	46 units or 7.2 units per acre
Lot Sizes	Range from approximately 3600 to 4400 Sq.Ft.	Range from approximately 3600 to 4400 Sq.Ft.
Maximum Floor Area	59,235 square feet ( <b>22.05% of site</b> )	59,235 square feet (22%)
Minimum Open Area	Open Area: 160,908 Sq.Ft. ( <b>57.7% of site</b> ). Parks are lots 48, 49, 51 totaling 15,900 Sq. Ft. (park @ 6629 Sq. Ft.; park @ 7329 Sq.Ft.; park @ 1935 Sq.Ft.; and approx. 145,000 Sq. Ft. for open areas on lots	Open Area: 160,908 Sq.Ft. (approx. 58% of site)

Roads (25 <sup>th</sup> Street and Local Road B) Lots 47 and 51	Approximately <b>20% of site</b>	Approximately 55,800 square feet or 20% of site
Setbacks Front Side Rear	May be set by map with minimum of 10 feet between all structures	Minimum of 8 feet between all structures; Variable Front- minimum 10 feet; Side- minimum 4 feet; Rear - minimum 5 feet
Height	35 feet	26.5 feet
Parking	2 spaces per unit; (Resident - 92 spaces); for multi-family 1 guest parking per 4 units (Guest - 12 spaces)	Resident - 92 spaces (2 garage and 2 driveway per 46 units); Guest - 12 spaces

*Ch. 22.16.030 and 040 – Landscaping*

The preliminary landscape plan shows all front yard areas planted, streetscape planting along 25<sup>th</sup> Street, park planting with a gazebo and children's play equipment in the parks, and tree planting along the internal Road B. Sidewalks and entries to homes will be stamped, colored concrete to add a more distinctive appearance. -The project is conditioned to prepare a landscape plan that incorporates drought tolerant and water efficient planting.

*Ch. 22.18 – Parking*

Two covered parking spaces are included for each house with two spaces in the driveway. A total of 12 formally designated guest parking spaces are provided for the community, located at the 3 park areas and at the corners of the site.

*Ch. 22.10.180 – Development Standards - Fencing and Screening*

The maximum allowed height for side and or rear fencing is 6 feet 6 inches; within the street side setback, the maximum height of fence or wall is 3 feet. The proposed lots will be fenced with a maximum 5 foot high solid wood fence with wood cap and trim. Lots adjacent to the parks will have a more open appearing metal fencing with a dark color and vertical pickets at 6" on center. Shrubs and vines will provide privacy while enhancing the park experience.

*Quimby Fees*

Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation. According to General Services, the applicant may request waiver of parkland fee and may be eligible for a 50% Quimby Credit, by providing a response to ordinance Sections 21.09.022 (a and b) and 21.09.020 (a-e). The project includes 3 park areas with a gazebo and play equipment.

*Affordable Housing Fees*

Sections 18.07 et. seq of Title 18 of the County Code establishes a fee of 3.5% of the public facility fee for all new land divisions. This is a fee that allows recognized affordable housing projects to be exempted from paying public facility fees. This project is conditioned to pay public facility fees because the applicant is not proposing deed-restricted affordable housing that would eligible for the public facility fee exemption. However, staff feels that the proposed homes could be considered more affordable than usual market rate homes because of the small lot sizes and moderate sizes of the homes. Currently there is not an inclusionary housing ordinance that would require a certain percentage of the homes to be available for the affordable housing price range and be deed restricted.

1-4

### *Grading and Drainage*

Drainage will be retained on site by directing runoff to underground water containment structures located in the roads and park areas. Approximately 18,000 cubic yards of cut and 11,000 cubic yards of fill will be required for developing pads, roads and site drainage. The project is conditioned for approval of final grading plans by Public Works.

### *Title 21. Real Property Division Ordinance Design Standards*

The proposed parcels are consistent with the design criteria set forth in Chapter 3 of the Title 21 of the Real Property Division Ordinance

### PROJECT DESCRIPTION / SITE DESIGN:

The project proposes 46 detached single-family residences and common park/landscape areas. The applicant and staff met on several occasions to discuss design issues. Staff and the applicant are satisfied with the current proposal. This project will contain design features that will enhance the living environment for the project residents and surrounding neighborhoods, and foster smart growth principals. For example, the project incorporates an efficient compact urban form, three parks, moderate home sizes that by design may be more affordable to workers in the area than larger homes on big lots in the vicinity.

The proposed project consists of 46 parcels of approximately 3,800 square feet each for the purpose of sale and/or development, construction of 46 two-story approximately 1850 sq.ft. to 2069 sq.ft detached residential units. The project includes three park parcels. Two of the parks are approximately 7,000 square feet each, and one park is of approximately 2,000 square feet. Also proposed is two parcels for the creation of three private on-site roads. Off-site road improvements are proposed for 25<sup>th</sup> Street and South Elm Street access driveway. The project will result in the disturbance of approximately 6.4 acres of a 6.4 acre site, and involves approximately 18,000 cubic yards of cut and 11,000 cubic yards of fill.

The three park areas and parking areas are commonly-owned parcels (Lots 48, 49 and 51). Lots 47 and 50 are identified for the three private on-site roads. There are five different house plans proposed (each with several different exterior design treatments and color schemes) containing 3 and 4 bedrooms and 2 and ½ bath. Each residence will be constructed with a two-car garage for resident parking. Deep driveways can accommodate guest parking for individual units. Additionally, 12 designated guest parking spaces will be provided.

The proposed project includes private open space areas for individual units and common open space parks. Common areas include three parks, three local roads, and an access driveway to South Elm Street. The access driveway will be offered for dedication to the county.

Units are proposed with bedrooms on the second floor and living and dining rooms on the first floor. Exterior wall material is horizontal wood clapboard siding, and wood trim, stucco, and detailed with brick and stone. Windows are trimmed with wood and have wood sills which add visual interest and more authentic detailing. Roofing material is asphalt shingle.

Grading and Drainage – Storm drainage will be transported from lots to the proposed curb gutters on each side of the public and private streets to drop inlets. The storm water will be conveyed from the drop inlets through underground piping to the various underground retention structures located below the private roads and parks. The underground storm water retention system will be sized in accordance with the requirements of the Standard Improvement Specifications and drawings of County Public Works. The storm water will percolate out of the underground storage system into the dune sands that cover the site. Overland emergency



1-5

escape routes will be provided within the right of way at the north, east, and south sides of the project.

#### PLANNING AREA STANDARDS (Section 22.106.070)

The project site is located within the Oceano Urban Area. The Oceano Specific Plan contains residential design guidelines and the following summarizes how the proposed development satisfies all Planning Area Standards and Specific Plan guidelines. In addition, the project has been evaluated against adopted Smart Growth Principals.

Planning Area Standards: The applicant worked closely with staff to address site planning and building design objectives.

*Communitywide* – Conform with Oceano Specific Plan – see below.

*Curb, Gutter and Sidewalk* – required in new land divisions. Curb, gutter, and sidewalk are proposed consistent with Section 22.106.070 A 2.

*Airport Review* - Avigation easement required. The project is conditioned for an avigation easement.

#### Oceano Specific Plan Residential Design Guidelines:

**Develop “Neighborhoods”** – “New residential project should be designed to integrate with the existing neighborhoods, and emphasize pedestrian connections to adjacent neighborhoods, and nearby schools and parks.”

Staff Comments: The proposed project is surrounded by existing single family residences. The project is consistent with the design guidelines and represents a smart growth type of development as noted earlier. Three parks are centrally located to the 46 lots and include a gazebo and play equipment. The project should be attractive for the walker because the project incorporates several pedestrian-friendly features, including street trees, front porches facing the street, garages pulled to the back of the lot, and three landscaped park open spaces.

The scale, neutral colors, wood siding, decorative shingle siding, brick and stucco materials, colored concrete paving, and architectural design details, including front porches, colored paving, and window trim will result in a quality project with a distinctive neighborhood atmosphere that is compatible with the existing neighborhoods. Five house product styles are proposed that include several different detail treatments to avoid the “repeating” streetscape house fronts.

The proposed project emphasizes pedestrian connections to adjacent neighborhoods through sidewalks connecting with the surrounding streets including Basin Street, South Elm Street and the construction of 25<sup>th</sup> Street that will connect neighborhoods to the north and south. Curb, gutter and sidewalks will be installed on all internal and external roads, including 25<sup>th</sup> Street at the property frontage to the northernmost proposed lot. 25<sup>th</sup> Street will be planted with canopy street trees, and the parks and local street will use combinations of water efficient, drought tolerant plants.

#### **Circulation**

Currently, 25<sup>th</sup> Street is not constructed through the site. The proposed project will connect 25<sup>th</sup> Street to neighborhoods north and south of the site. 25<sup>th</sup> Street will also connect the property to the Basin Street and South Elm Street.

Staff Comments: The project includes Department of Public Works requirements to comply with typical tract improvements, including onsite roads and offsite road improvements to 25<sup>th</sup> Street from the northern property line to Paso Robles Street. Curb, gutter, and sidewalks will be

1-6

provided. The access drive from the site to South Elm Street intersection is proposed as a 21 foot wide paved private driveway with a 4 foot sidewalk and rolled curb along the south side. The Elm Street access driveway will be offered for dedication to the county. Local roads A, B, and C are proposed as homeowners association owned and maintained.

**Integrate Open Space** – “New subdivisions should provide usable common open spaces in the form of parks, squares, and greens. Development adjacent to parks should provide maximum visibility of these areas.”

Staff comments: The proposed project includes two centrally located parks, allowing convenient access throughout the neighborhood. A third park is located at the northern boundary. Metal fencing (at 6” spacing) is proposed at the property line of the lots adjacent to the parks, allowing more open views into the parks and to prevent a closed in feeling.

**Treatment of Edges** – “Use creative design that controls the height and length of walls, and uses landscaping for screening”.

Staff comments: The project site is currently developed with two residences and an older avocado orchard. The orchard has been in decline for some time and is currently not economically viable. The surrounding neighborhood contains a mix of, older and newer residences. Homes in the area are both one and two story and of various architectural styles. A working farm is located approximately one-quarter mile to the east of the project site.

The proposed project is a neo-traditional neighborhood design that is characterized by smaller lots, narrow streets and lanes, houses that address the street with living spaces, have front porches, and garages that are recessed from the street. This form of neighborhood design fits in with the style of development in the area, and includes improvements such as park space and significant landscaping which may improve the visual appearance of the area. The old avocado trees will be removed however, a number of healthy and structurally sound avocado trees will be replanted in key areas of the project site such as in the parks and at entrances to the development. New streets will include sidewalks and landscaping, including street trees. Exterior colors and a materials board for each option will be provided at the hearing for your Commission to see. At this time the color palette consists of soft earth tones.

A row of 13 existing mature Monterey pines, ranging in height from 37 to 101 feet, are located on the adjacent parcel to the west of the project site. Though not native to the area, the pines contribute to the character of the area.

A tree protection plan was prepared to minimize impact to the row of pine trees (Avocado Ranch Development Monterey Pine Impacts and Mitigations Assessment/Tree Protection Plan, prepared by A & T Arborists, dated February 13, 2005). The report identified the health of the existing 13 trees and recommended mitigation measures to minimize impact to tree roots including: retaining wall design that avoids tree roots, fill limit to 30 inches with limited compaction for Lots 1, 2 and 3; increase rear setback for Lots 1, 2 and 3 to approximately 20 feet from trees; and construction fencing and monitoring. The report identified the health of the 13 trees and concluded that many have visible signs of pitch canker, red turpentine beetles or are already dead.

An arborist's report (Arbor First, 2005), was submitted by the neighboring property owner. The report suggests that construction of the residences and a proposed wall separating the properties may impact the pine trees and recommended removing two of the residences from the plan and replanting native vegetation in their place.

The project has been conditioned for construction methods that minimize impacts to the tree root zone, consistent with the Tree Protection Plan (A&T Arborists, December 13, 2005). Specifically, construction drawings shall demonstrate how grading and construction techniques and the design of the foundations and walls in the area of the Monterey pines will minimize

1-7

impacts to the tree root zone to the maximum extent feasible. In addition, an arborist shall be onsite during grading activities and foundation construction in that area, so that the techniques/methods described in the construction plans are implemented. The house plans on Lots 1,2, and 3 have been revised to include greater setbacks from the property boundary adjacent to the pine trees.

**Single-Family Housing Design** – The proposed project meets the design guidelines as outlined below:

Houses in new subdivisions – The proposed houses include design details including front porches and entrances facing the street with the garage toward the rear of the lot, with a variety of elevations, various façade details, and colors to add interest and avoid a “cookie cutter” looking streetscape.

Infill Development – The project is integrated with the surrounding single family neighborhoods by connecting sidewalks and compatible architecture.

General Principles – The project is compatible in scale, siting, detailing, and overall character with the surrounding neighborhoods. The project includes front porches and entries facing the street and garages located at the rear of the parcel, as suggested in the guidelines.

Building Design – The project includes materials and design elements compatible with surrounding neighborhoods.

Visual impact from building height – The proposed maximum height of approximately 26.5 feet, is compatible with surrounding residences.

Outdoor living areas – The project incorporates porches, decks, and courtyards providing outdoor living area. Three parks and an attractive streetscape provide a “walkable” community atmosphere.

Exterior finish materials – The proposed materials enhance the desired neighborhood qualities such as compatibility, continuity, and harmony. The project incorporates the common material in Oceano, (e.g. stucco, wood, horizontal clapboard siding, brick and stone).

Exterior colors – Proposed colors are a mix, (e.g. tans, sage green, and sky blue). These neutral tones enhance the high quality feeling for the neighborhood and is compatible with the surrounding neighborhoods.

Guiding Principles for Smart Growth: The proposed project site design and architecture responds to the smart growth guiding principles by directing development towards existing communities; by fostering distinctive, attractive communities with a strong sense of place; by creating walkable neighborhoods; and by providing compact building design.

COMMUNITY ADVISORY GROUP COMMENTS: No comments

AGENCY REVIEW:

*Public Works* – Recommend approval with conditions.

*Environmental Health* – Applicant has provided preliminary evidence of water and sewer.

*County Parks* – May be eligible for a 50% Quimby Credit. Provide written request and response to Sections 21.09.022 (a and b) and 21.09.020 (a-e) to Jan DiLeo, General Services Department.

*Oceano Community Services District* – Recommend approval with will-serve letter provided with conditions.

*Oceano Fire* – Fire Safety Plan required. Refer to letter dated December 14, 2005 from OCSD.

*ALUC* – 99% of the property outside of Airport Review Area boundary, and there is no need for ALUC review. Avigation easement required.

*APCD* – Project will exceed the Districts significance thresholds for construction. Conditions included for construction dust, burning, operational emissions.

*Agriculture Department* – Provide supplemental disclosure to purchasers of these properties concerning the existing and potential intensive agricultural operations on nearby properties,

1-8

including but not limited to dust, noise, odors, and agricultural chemicals, and of the County's Right-to-Farm Ordinance.

**LEGAL LOT STATUS:**

The lots was legally created by a deeds: 062-073-005 per deed 1088 OR 189; 062-073-006 per deed 481 OR 103; 062-074-0123 per Parcel 1 of Parcel Map CO74-108; 062-073-015 is a Portion of Lot H, E.L. Warners' Subdivision, and a legal parcel per deed 263 OR 446 (September 1939).

Report prepared by Marsha Lee and reviewed by Chuck Stevenson

1-9

**EXHIBIT A**

**FINDINGS**

**FOR**

**TRACT 2758 / SUB2004-00389**

**TDC RANCH, LLC/CASEY O'CONNOR**

*Environmental Determination*

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on December 15, 2005 for this project. Mitigation measures are proposed to address air quality, cultural resources, aesthetics, traffic, and agriculture are included as conditions of approval.

*Tentative Map*

- B. The proposed map is consistent with applicable county general and specific plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the Residential Single Family land use category.
- C. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.
- D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because the required improvements will be completed consistent with county ordinance and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances.
- E. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate area for development of 46 single family residences.
- F. The site is physically suitable for the proposed density of the development proposed because the site can adequately support 46 single family residences.
- G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because no rare, endangered or sensitive species are present; and mitigation measures for air quality, cultural resources, aesthetics, agriculture, and traffic are required.
- H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- I. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.

1-10

**EXHIBIT B**

**CONDITIONS OF APPROVAL  
FOR  
TRACT 2758 / SUB2004-00389  
TDC RANCH, LLC/CASEY O'CONNOR**

**Approved Project**

1. A Vesting Tentative Tract Map including:
  - a. the subdivision of four existing parcels totaling approximately 6.4 acres into 51 parcels as a planned development;
  - b. the construction of 46 residences, 3 parks, and 3 local roads, and improvements to 25<sup>th</sup> Street;
  - c. residential parcels range in size from approximately 3600 to 4200 square feet each;
  - d. residences are two-story detached residential units (maximum height is 26.5 feet), include an attached garage, and range in size from approximately 1850 to 2069 square feet each;
  - e. three lots for the construction of three parks (two parks approximately 7,000 square feet each, and one park approximately 2,000 square feet);
  - f. creation of two lots for on-site private roads;
  - g. on and off-site road improvements to 25<sup>th</sup> Street.;
  - h. the area of disturbance is approximately 6.4 acres of a 6.4 acre site, and involves approximately 18,000 cubic yards of cut and 11,000 cubic yards of fill.

**Access and Improvements**

2. Roads and/or streets to be constructed to the following standards:
  - a. 25<sup>th</sup> Street constructed/widened through and fronting the property to complete a section with a minimum paved width varying from 24 feet to 36 feet, with 6 foot sidewalks and 7 foot landscape strip, within a 50 foot right of way, as shown on the site plan.
  - b. 25<sup>th</sup> Street constructed to a A-1 section from the property to Paso Robles Street with a minimum paved width to be 18 feet.
  - c. On-site streets (Road A, B, and C) constructed to a modified A-2 (urban with sidewalks) section with 20 feet pavement and rolled curbs and 4 foot sidewalks within a 28 foot right of way, as shown on the site plan.
  - d. On-site street, Elm Street access, constructed to a modified A-2 section with 21 feet pavement and rolled curb and 4 feet sidewalk on the south side, as shown on the site plan.
  - e. South Elm Street widened to complete a A-2 section fronting the property with a county standard driveway approach as shown on the site plan.
  - f. All driveways on 25<sup>th</sup> and South Elm Streets shall be constructed in accordance with County Standard Improvement Specification and Drawings. All driveways constructed on county roads require an encroachment permit.
3. A private easement be reserved on the map for access to all lots.

1-11

4. All grading shall be done in accordance with Appendix 33 of the Uniform Building Code. All lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.

### **Improvement Plans**

5. Improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include:
  - a. Street plan and profile.
  - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
  - c. Water plan (County Health).
  - d. Sewer plan (County Health).
  - e. Grading and erosion control plan for subdivision related improvement locations.
  - f. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.
6. The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
7. The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.

### **Archaeology**

8. **Prior to issuance of construction permits/ tract improvement plans**, the applicant shall submit a monitoring plan prepared by a subsurface qualified archaeologist, for the review and approval of the Environmental Coordinator. The monitoring plan consider the findings of the previous pertinent reports (Singer 9/6/05, Gibson; 7/31/97) and shall include:
  - a. List of personnel involved in the monitoring activities;
  - b. Description of how the monitoring shall occur;
  - c. Description of frequency of monitoring (e.g. full-time, part time, spot checking);
  - d. Description of what resources are expected to be encountered;
  - e. Description of circumstances that would result in the halting of work at the project site (e.g. What is considered "significant" archaeological resources?);
  - f. Description of procedures for halting work on the site and notification procedures;
  - g. Description of monitoring reporting procedures.

### **Drainage**

8. Submit complete drainage calculations to the Department of Public Works for review and approval.
9. If calculations so indicate, drainage must be retained in a drainage basin on the property. The design of the basin to be approved by the Department of Public Works, in

1-12

accordance with county standards. If any water is proposed to be released off-site the effects on neighbors and the community shall be detailed along with mitigation measures.

10. **Prior to final map approval**, the drainage basin along with rights of ingress and egress shall be offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.
11. The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II storm water program.

### **Soils Report**

12. **Prior to final inspection of the improvements**, a final soils report by a Registered Civil Engineer be submitted for review.

### **Utilities**

13. Electric and telephone lines shall be installed underground.
14. Cable T.V. conduits shall be installed in the street.
15. Gas lines shall be installed.

### **Design**

16. The lots shall be numbered in sequence.
17. The applicant shall apply to the Department of Planning and Building for approval of new street names prior to the filing of the final parcel or tract map. Approved street names shall be shown on the final parcel or tract map.

### **Vector Control and Solid Waste**

18. A determination of method of pick-up shall be specified by the waste handler and if centralized facilities for the pick-up are required, provisions shall be made within the project for central facilities that meet Land Use Ordinance requirements for trash enclosures. If centralized facilities are established, this shall include provisions for recycling if service is available or subsequent installation of such facilities if recycling service becomes available in the future.

### **Fire Protection**

19. **Prior to filing of the final map**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Oceano Community Services District letter dated December 14, 2005.

### **Parks and Recreation (Quimby) Fees**

20. Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them.



### **Affordable Housing Fee**

21. **Prior to filing the final tract map**, the applicant shall pay an affordable housing fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

### **Easements**

22. **Prior to recordation of the final map**, the property owner shall grant an avigation easement to the county of San Luis Obispo. The avigation easement document shall be prepared, reviewed and approved by County Counsel.
23. **Prior to recordation of the final map**, the applicant shall provide evidence of compliance with Federal Aviation Regulation part 77, "Objects Effecting Navigable Airspace" including filing of FAA Form 7460-1, "Notice of Proposed Construction or Alteration" as instructed by the FAA.
24. **Prior to recordation of the final map**, the applicant agrees to construct road improvements as required by the Department of Public Works (25<sup>th</sup> Street Basin, Elm). Utilities shall be underground. Drainage plan will be included with improvement plans when submitted for review.
25. **Prior to recordation of the final map**, the applicant shall provide supplemental disclosure to purchasers of these properties concerning the existing and potential intensive agricultural operations on nearby properties, including but not limited to dust, noise, odors, and agricultural chemicals, and of the County's Right-to-Farm Ordinance.

### **Additional Map Sheet**

26. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:
- a. During construction/ground disturbing activities for construction of the individual houses, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.
    - 1) Reduce the amount of disturbed area where possible.
    - 2) Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Reclaimed (nonpotable) water should be used whenever possible.
    - 3) All dirt stockpile areas should be sprayed daily as needed.
    - 4) All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible.
    - 5) Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

1-14

- 6) All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top load and top of trailer) in accordance with CVC Section 23114.
  - 7) Wheel washers shall be installed where vehicles enter and exit unpaved roads onto streets, or trucks and equipment shall be washed off onsite prior to leaving the site.
  - 8) Streets shall be swept at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.
  - 9) Maintain all construction equipment in proper tune according to manufacturer's specifications.
  - 10) Fuel all off road and portable diesel powered equipment, including but not limited to bulldozers, graders, cranes, loaders, scrapers, backhoes, generator sets, compressors, auxiliary power units, with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).
  - 11) Maximize to the extent feasible, the use of diesel construction equipment meeting the ARB's 1996 or newer certification standard for off-road heavy-duty diesel engines.
  - 12) To minimize potential delays, prior to the start of the project, contact David Dixon of the District's Engineering Division, 805-781-5912, for specific information regarding permitting requirements.
- b. **Prior to issuance of construction permits for the individual houses**, show on all applicable plans locations of the following Energy Efficiency Measures:
- 1) Use built-in energy efficient appliances.
  - 2) Use energy efficient interior lighting and streetlights.
  - 3) Increase building efficiency rating by 10% above Title 24 requirements.
  - 4) Use only Air Pollution Control District approved wood burning devices.
- c. **Prior to demolition of any existing structures, utilities, or pipelines**, the applicant shall comply with the regulations set forth in the National Emission Standard for Hazardous Air Pollutants. These requirements include, but are not limited to: 1) notification requirements to the Air Pollution Control District, 2) asbestos survey conducted by a Certified Asbestos Contractor, and 3) applicable removal and disposal requirements of identified asbestos containing material.
- d. **Prior to issuance of grading permits**, the applicant shall ensure that a geologic evaluation is conducted to determine if Naturally Occurring Asbestos (NOA) is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the APCD. If NOA is found at the site, the applicant shall comply with all requirements outlined in the Asbestos Air Toxics Control Measure (ATCM).
- e. **Prior to issuance of construction permits**, the applicant shall provide construction drawings that illustrate construction methods and designs to minimize impacts to neighboring trees. The plans shall include the location of tree protection fencing to be utilized during construction.
- f. **Prior to final inspection**, the applicant shall submit a report to the Planning and Building Department from a certified arborist that the construction methods and designs illustrated in the project plans have been implemented to the extent feasible. Any changes to the approved plans that were made in the field shall be documented by the arborist.

1-15

- g. **Prior to issuance of building permits, in the instance wood burning stoves are proposed**, the applicant shall submit building plans showing the use of APCD-approved wood burning devices limited to the following:
  - 1) All EPA-Certified Phase II wood burning devices;
  - 2) Catalytic wood burning devices that emit less than or equal to 4.1 grams per hour of particulate matter that are not EPA-Certified but have been verified by a nationally-recognized testing lab;
  - 3) Non-catalytic wood burning devices that limit less than or equal to 7.5 grams per hour of particulate matter that are not EPA-Certified but have been verified by a nationally-recognized testing lab;
  - 4) Pellet-fueled woodheaters, and;
  - 5) Dedicated gas-fired fireplaces.
- i. **Prior to recordation of the final map**, the applicant shall provide supplemental disclosure to purchasers of the properties concerning the existing and potential intensive agricultural operations on nearby properties, including but not limited to dust, noise, odors, agricultural chemicals, and the County's Right-To-Farm Ordinance.
- j. **Prior to issuance of construction permits or improvement plans**, the applicant shall submit a monitoring plan prepared by a subsurface qualified archaeologist, for the review and approval of the Environmental Coordinator. The monitoring plan shall consider the findings of the previous pertinent reports (Singer 9/6/05, Gibson; 7/31/97) and shall include:
  - 1) List of personnel involved in the monitoring activities;
  - 2) Description of how the monitoring shall occur;
  - 3) Description of frequency of monitoring (e.g. full-time, part time, spot checking);
  - 4) Description of what resources are expected to be encountered;
  - 5) Description of circumstances that would result in the halting of work at the project site (e.g. What is considered "significant" archaeological resources?);
  - 6) Description of procedures for halting work on the site and notification procedures;
  - 7) Description of monitoring reporting procedures.
- k. **Prior to occupancy of any new structure**, if improvements are bonded for, all public improvements (roads, drainage, utilities) shall be completed.

#### **Covenants, Conditions and Restrictions**

- 27. The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval. The CC&R's shall provide at a minimum the following provisions:
  - a. On-going maintenance of drainage basin system and adjacent landscaping in a viable condition on a continuing basis into perpetuity.
  - b. On-going maintenance of parks common areas and amenities (Lots 48, 49, and 51).
  - c. **Prior to issuance of construction permits**, the following measures shall be incorporated into the construction phase of the project and shown on all applicable plans:
    - 1) Reduce the amount of the disturbed area where possible.
    - 2) Use water trucks or sprinkler systems in sufficient quantities to prevent airborne

1-16

- dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible.
- 3) All dirt stock-pile areas should be sprayed daily as needed.
  - 4) All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible.
  - 5) Building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- d. **Prior to issuance of construction permits for the individual houses**, show on all applicable plans locations of the following Energy Efficiency Measures:
- 1) Use built-in energy efficient appliances.
  - 2) Use energy efficient interior lighting and streetlights.
  - 3) Increase building efficiency rating by 10% above Title 24 requirements.
  - 4) Use only Air Pollution Control District approved wood burning devices.
- e. **Prior to issuance of grading permits**, the applicant shall ensure that a geologic evaluation is conducted to determine if Naturally Occurring Asbestos (NOA) is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the APCD. If NOA is found at the site, the applicant shall comply with all requirements outlined in the Asbestos Air Toxics Control Measure.
- f. The applicant shall provide supplemental disclosure to purchasers of these properties concerning the existing and potential intensive agricultural operations on nearby properties, including but not limited to dust, noise, odors, and agricultural chemicals, and of the County's Right-to-Farm Ordinance.
- g. **Prior to issuance of construction permits**, the applicant shall provide construction drawings that illustrate construction methods and designs to minimize impacts to neighboring trees. The plans shall include the location of tree protection fencing to be utilized during construction.
- h. **Prior to final inspection**, the applicant shall submit a report to the Planning and Building Department from a certified arborist that the construction methods and designs illustrated in the project plans have been implemented to the extent feasible. Any changes to the approved plans that were made in the field shall be documented by the arborist.
- i. **Prior to issuance of building permits, in the instance wood burning stoves are proposed**, the applicant shall submit building plans showing the use of APCD-approved wood burning devices limited to the following:
- 1) All EPA-Certified Phase II wood burning devices;
  - 2) Catalytic wood burning devices that emit less than or equal to 4.1 grams per hour of particulate matter that are not EPA-Certified but have been verified by a nationally-recognized testing lab;
  - 3) Non-catalytic wood burning devices that limit less than or equal to 7.5 grams per hour of particulate matter that are not EPA-Certified but have been verified by a nationally-recognized testing lab;
  - 4) Pellet-fueled woodheaters, and;
  - 5) Dedicated gas-fired fireplaces.

1-17

- j. **Prior to issuance of construction permits or improvement plans**, the applicant shall submit a monitoring plan prepared by a subsurface qualified archaeologist, for the review and approval of the Environmental Coordinator. The monitoring plan consider the findings of the previous pertinent reports (Singer 9/6/05, Gibson; 7/31/97) and shall include:
- 1) List of personnel involved in the monitoring activities;
  - 2) Description of how the monitoring shall occur;
  - 3) Description of frequency of monitoring (e.g. full-time, part time, spot checking);
  - 4) Description of what resources are expected to be encountered;
  - 5) Description of circumstances that would result in the halting of work at the project site (e.g. What is considered "significant" archaeological resources?);
  - 6) Description of procedures for halting work on the site and notification procedures;
  - 7) Description of monitoring reporting procedures.
- k. **Prior to occupancy**, if improvements are bonded for, all public improvements(roads, drainage, utilities) shall be completed.

#### **Miscellaneous**

28. This subdivision is also subject to the standard conditions of approval for all subdivisions using community water and sewer, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
29. A stormwater pollution plan may be necessary from the Regional Water Quality Control Board. Provide evidence that it has been obtained or is unnecessary prior to filing the map.

1-18

**EXHIBIT C**

**FINDINGS  
FOR**

**CONDITIONAL USE PERMIT SUB2004-00389/TRACT 2758  
(TDC RANCH, LLC/CASEY O'CONNOR)**

**Environmental Determination**

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on May 20, 2005 for this project. Mitigation measures are proposed to address air quality, cultural resources, aesthetics, agriculture, and traffic and are included as conditions of approval.

**Conditional Use Permit**

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 22 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the proposed the 46 single family residential development does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the proposed the 46 single family residential development is similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the proposed the 46 single family residential development is located on 25<sup>th</sup> Street and South Elm Street, a local road constructed to a level able to handle any additional traffic associated with the project

1-19

**EXHIBIT D**  
**CONDITIONS OF APPROVAL**  
**FOR**  
**CONDITIONAL USE PERMIT SUB2004-00389/TRACT 2758**  
**(TDC RANCH, LLC/CASEY O'CONNOR)**

**Approved Development**

1. This approval authorizes:
  - a. A Vesting Tentative Tract Map allows for:
    - 1) the subdivision of four existing parcels totaling approximately 6.4 acres into 51 parcels as a planned development;
    - 2) the construction of 46 residences, 3 parks, and 3 local roads, and improvements to 25<sup>th</sup> Street;
    - 3) residential parcels range in size from approximately 3600 to 4200 square feet each;
    - 4) residences are two-story detached residential units, include an attached garage, and range in size from approximately 1850 to 2069 square feet each;
    - 5) three lots for the construction of three parks (two parks approximately 7,000 square feet each, and one park approximately 2,000 square feet);
    - 6) creation of two lots for on-site private roads;
    - 7) on and off-site road improvements to 25<sup>th</sup> Street.;
    - 8) the area of disturbance is approximately 6.4 acres of a 6.4 acre parcel, and involves approximately 18,000 cubic yards of cut and 11,000 cubic yards of fill.
  - b. Maximum height is approximately 28 from average natural grade.

**Subdivision Related Approvals**

2. This approval authorizes a planned development/subdivision of four parcels equaling approximately 6.4 acres into 51 parcels for the construction of 46 residences, three common park parcels, and two road lots consistent with the Tentative Tract Map 2758.
3. This approval is effective for a period of 24 months from the date of the approval of the tentative map by the Planning Commission. Conditional Use time extensions shall run concurrently with the Tentative Map time extensions thereafter, until expiration of the Tentative Map. Time extensions for the Tentative Map must be requested by the applicant or agent and are subject to further review.
4. Any significant revisions in the Tentative Map not authorized by this approval shall require reconsideration by the Planning Commission.

**Conditions required to be completed at the time of application for construction permits**

**Site Development**

5. **At the time of application for construction permits**, the applicant shall submit plans that show all development consistent with the approved site plan, floor plan, architectural elevations and landscape plan.
6. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp or the related reflector interior surface is visible from adjacent

1-70

properties. Light hoods shall be dark colored. Plans will include a covered barbeque facility and children play equipment for staff review.

### ***Vector Control and Solid Waste***

7. A determination of method of pick-up shall be specified by the waste handler and if centralized facilities for the pick-up are required, provisions shall be made within the project for central facilities that meet Land Use Ordinance requirements for trash enclosures. If centralized facilities are established, this shall include provisions for recycling if service is available or subsequent installation of such facilities if recycling service becomes available in the future.

### ***Fire Safety***

8. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Oceano Community Services District letter dated December 14, 2005.

### ***Services***

9. **At the time of application for construction permits**, the applicant shall provide a letter from Oceano Community Services District stating they are willing and able to service the property.

### **Conditions to be completed prior to issuance of a construction permit**

#### ***Fees***

10. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.
11. During construction/ground disturbing activities for construction of the individual houses, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.
  - a. Reduce the amount of disturbed area where possible.
  - b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Reclaimed (nonpotable) water should be used whenever possible.
  - c. All dirt stockpile areas should be sprayed daily as needed.
  - d. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible.
  - e. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
  - f. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top load and top of trailer) in accordance with CVC Section 23114.
  - g. Wheel washers shall be installed where vehicles enter and exit unpaved roads onto streets, or trucks and equipment shall be washed off onsite prior to leaving the site.



1-21

- h. Streets shall be swept at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.
- 12. **Prior to issuance of construction permits for the individual houses**, the applicant shall show on all applicable plans locations of the following Energy Efficiency Measures:
  - a. Use built-in energy efficient appliances.
  - b. Use energy efficient interior lighting and streetlights.
  - c. Increase building efficiency rating by 10% above Title 24 requirements.
  - d. Use only Air Pollution Control District approved wood burning devices.
- 13. **Prior to demolition of any existing structures, utilities, or pipelines**, the applicant shall comply with the regulations set forth in the National Emission Standard for Hazardous Air Pollutants. These requirements include, but are not limited to: 1) notification requirements to the Air Pollution Control District, 2) asbestos survey conducted by a Certified Asbestos Contractor, and 3) applicable removal and disposal requirements of identified asbestos containing material.
- 14. **Prior to issuance of grading permits**, the applicant shall ensure that a geologic evaluation is conducted to determine if Naturally Occurring Asbestos (NOA) is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the APCD. If NOA is found at the site, the applicant shall comply with all requirements outlined in the Asbestos Air Toxics Control Measure (ATCM).

#### Archaeology

- 15. **Prior to issuance of construction permits or approval of improvement plans**, the applicant shall submit a monitoring plan prepared by a subsurface qualified archaeologist, for the review and approval of the Environmental Coordinator. The monitoring plan shall consider the findings of the previous pertinent reports (Singer 9/6/05, Gibson; 7/31/97) and shall include:
  - a. List of personnel involved in the monitoring activities;
  - b. Description of how the monitoring shall occur;
  - c. Description of frequency of monitoring (e.g. full-time, part time, spot checking);
  - d. Description of what resources are expected to be encountered;
  - e. Description of circumstances that would result in the halting of work at the project site (e.g. What is considered "significant" archaeological resources?);
  - f. Description of procedures for halting work on the site and notification procedures;
  - g. Description of monitoring reporting procedures.

#### Tree Protection

- 16. **Prior to issuance of construction permits**, the applicant shall provide construction drawings that illustrate construction methods and designs as indicated on the Tree Protection Plan to minimize impacts to neighboring trees. The plans shall include the location of tree protection fencing to be utilized during construction.
- 17. **Prior to issuance of building permits, in the instance wood burning stoves are proposed**, the applicant shall submit building plans showing the use of APCD-approved wood burning devices limited to the following:
  - a. All EPA-Certified Phase II wood burning devices;
  - b. Catalytic wood burning devices that emit less than or equal to 4.1 grams per hour of particulate matter that are not EPA-Certified but have been verified by a nationally-

1-22

- recognized testing lab;
- c. Non-catalytic wood burning devices that limit less than or equal to 7.5 grams per hour of particulate matter that are not EPA-Certified but have been verified by a nationally-recognized testing lab;
- d. Pellet-fueled woodheaters, and;
- a. Dedicated gas-fired fireplaces.

**Conditions to be completed prior to occupancy or final building inspection /establishment of the use**

- 18. Landscaping in accordance with the approved landscaping plan shall be installed or bonded for before final building inspection. If bonded for, landscaping shall be installed within 60 days after final building inspection. All landscaping shall be maintained in a viable condition in perpetuity.
- 19. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.
- 20. **Prior to final inspection**, the applicant shall submit a report to the Planning and Building Department from a certified arborist that the construction methods and designs illustrated in the project plans have been implemented to the extent feasible. Any changes to the approved plans that were made in the field shall be documented by the arborist.

**On-going conditions of approval (valid for the life of the project)**

- 21. The applicant shall provide supplemental disclosure to purchasers of the properties concerning the existing and potential intensive agricultural operations on nearby properties, including but not limited to dust, noise, odors, agricultural chemicals, and the County's Right-To-Farm Ordinance.
- 22. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 22.64.070 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 22.64.080 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
- 23. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.

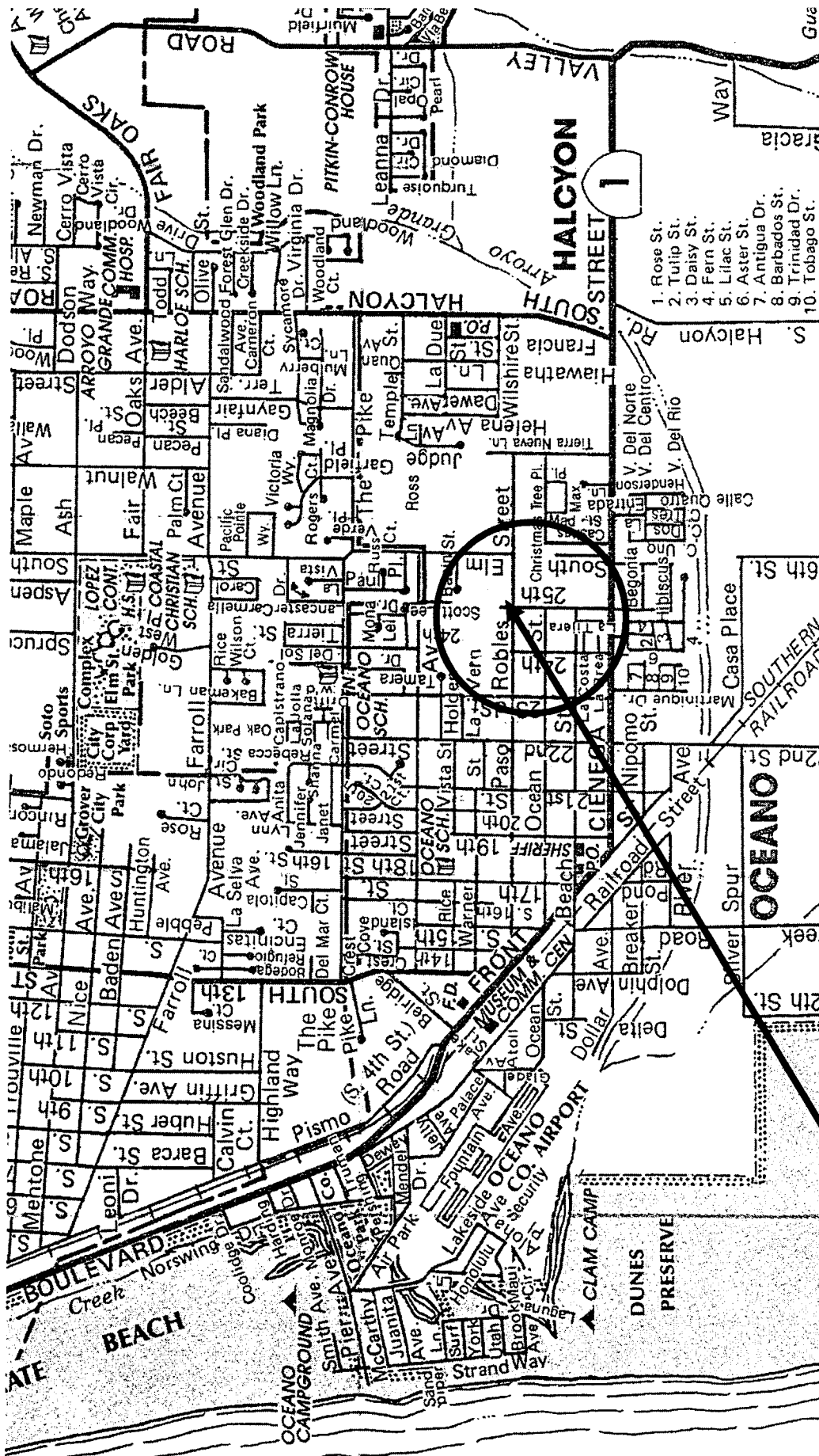
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STANDARD CONDITIONS OF APPROVAL FOR  
SUBDIVISIONS USING COMMUNITY WATER AND SEWER

1. Community water and fire protection shall be obtained from the community water system.
2. Operable water facilities from an approved community water source shall be assured prior to the filing of the final map. A "final will serve" letter shall be obtained and submitted to the county Health Department for review and approval stating there are operable water facilities immediately available for connection to the parcels created. Water main extensions, laterals to each parcel and related facilities (except well(s)) may be bonded for subject to the approval of county Public Works, the county Health Department and the public water utility.
3. No residential building permits are to be issued until the community (public) water system is operational with a domestic water supply permit issued by the county Health Officer.
4. In order to protect the public safety and prevent possible groundwater pollution, any abandoned wells on the property shall be destroyed in accordance with the San Luis Obispo County Well Ordinance Chapter 8.40, and county Health Department destruction standards. The applicant is required to obtain a permit from the county Health Department.
5. When a potentially operational or operational auxiliary water supply in the form of an existing well(s) is located on the parcels created and approved community water is proposed to serve the parcels, the community water supply shall be protected from real or potential cross-contamination by means of an approved cross-connection control device installed at the meter or property line service connection prior to occupancy. (Chapter 8.30, San Luis Obispo County Ordinance)
6. Sewer service shall be obtained from the community sewage disposal system.
7. Prior to the filing of the map a "final will serve" letter be obtained and submitted to the county Health for review and approval stating that community sewer system service is immediately available for connection to the parcels created. Sewer main extensions may be bonded for, subject to the approval of county Public Works and sewer district.
8. No residential building permits shall be issued until community sewers are operational and available for connection.
9. An encroachment permit shall be obtained from county Public Works for any work to be done within the county right-of-way.
10. An encroachment permit shall be obtained from the California Department of Transportation for any work to be done on the state highway.
11. Any existing reservoir or drainage swale on the property shall be delineated on the map.
12. Prior to submission of the map "checkprints" to county Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.

1-74

13. Required public utility easements shall be shown on the map.
14. Approved street names shall be shown on the map.
15. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of land proposed.
16. The developer shall submit a preliminary subdivision guarantee to county Public Works for review prior to the filing of the map.
17. Any private easements on the property shall be shown on the map with recording data.
18. All conditions of approval herein specified, unless otherwise noted, shall be complied with prior to the filing of the map.
19. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
20. A map shall be filed in accordance with Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
21. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees must be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.



**SITE**

PROJECT

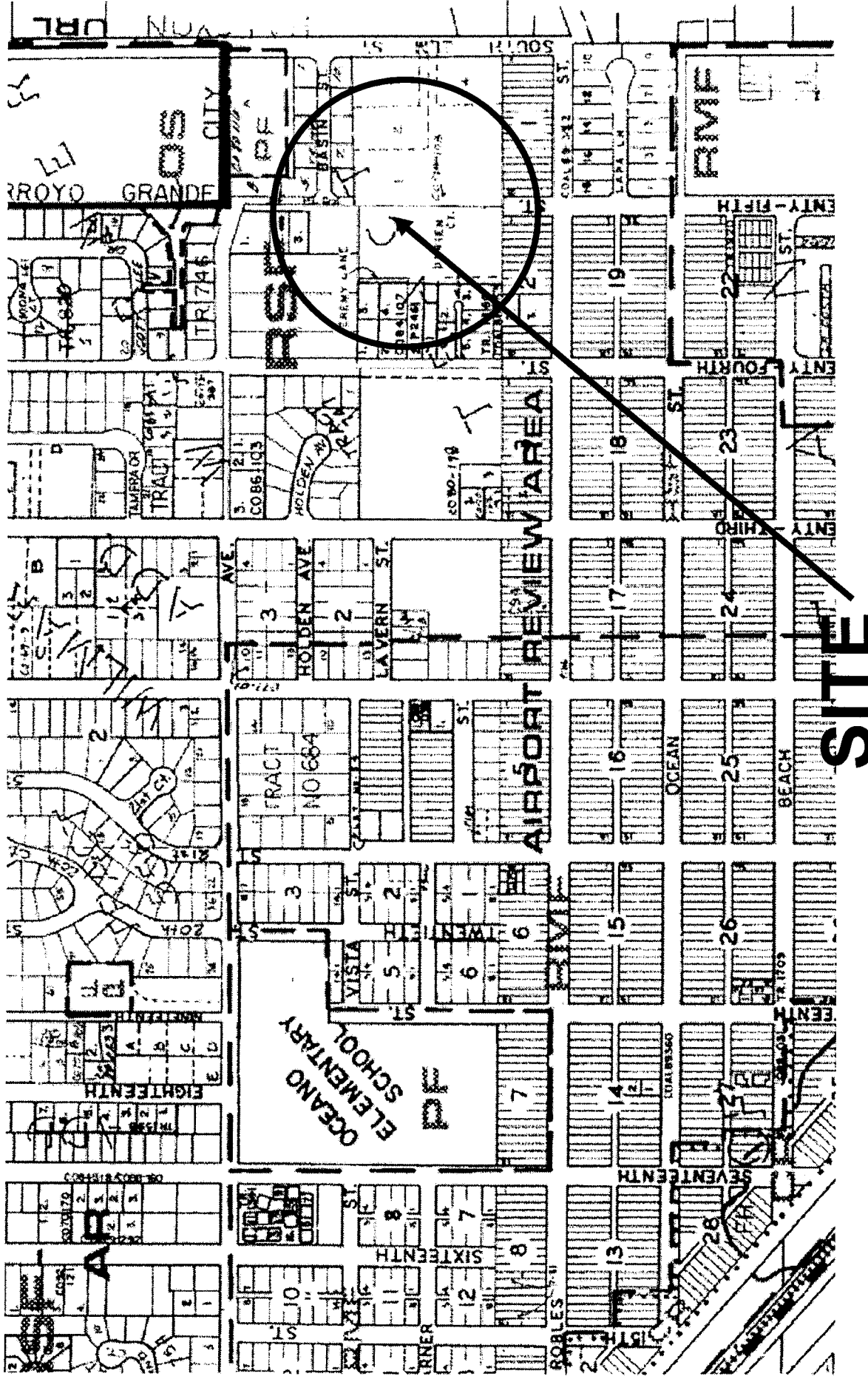
Tract Map 2758  
Takken SUB2004-00389

EXHIBIT

Vicinity Map



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PROJECT

Tract Map 2758  
Taken SUB2004-00389

EXHIBIT

Land Use Category - RSF





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PROJECT

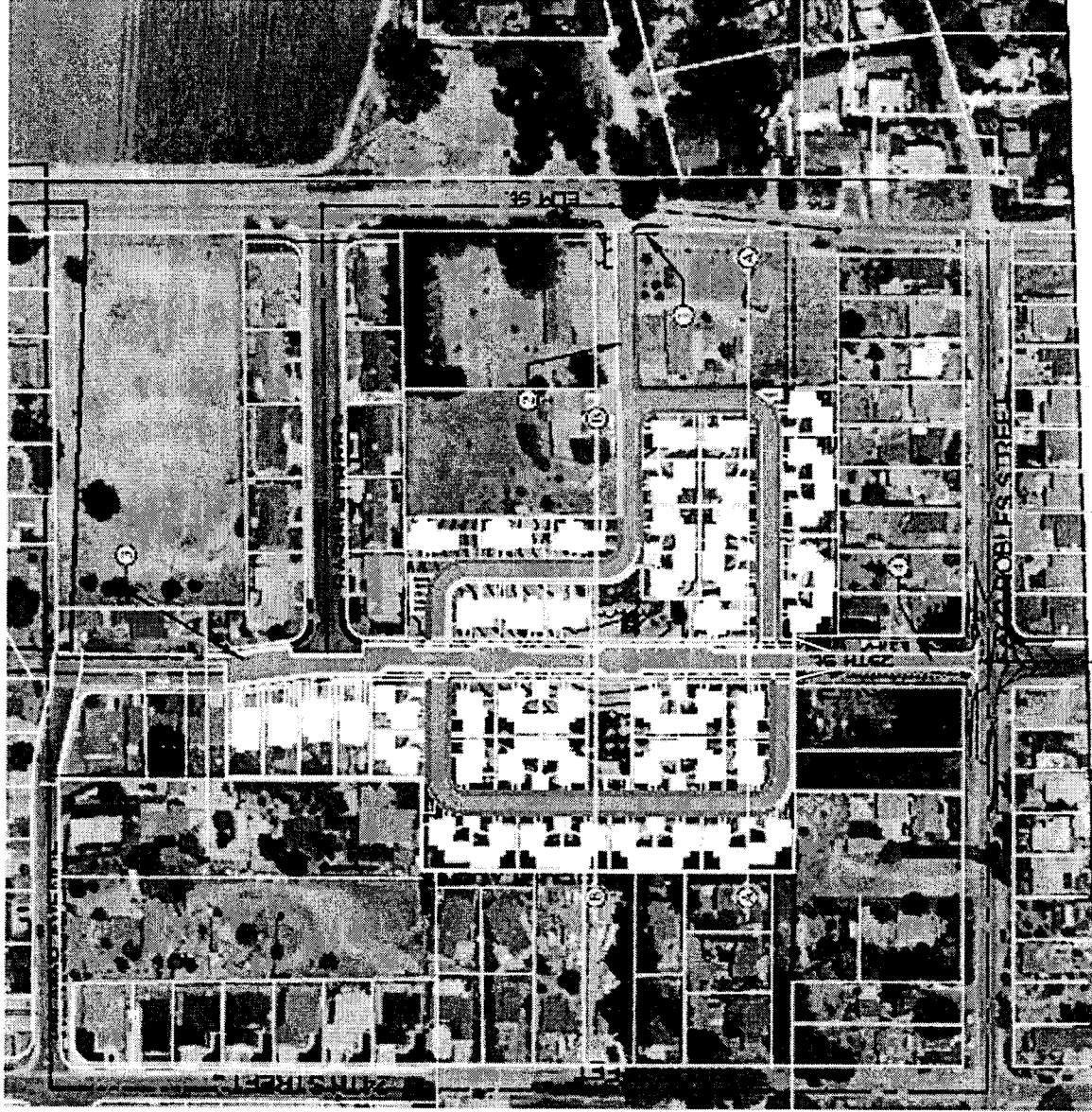
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EXHIBIT

Aerial



1-28



**PROJECT**

Tract Map 2758  
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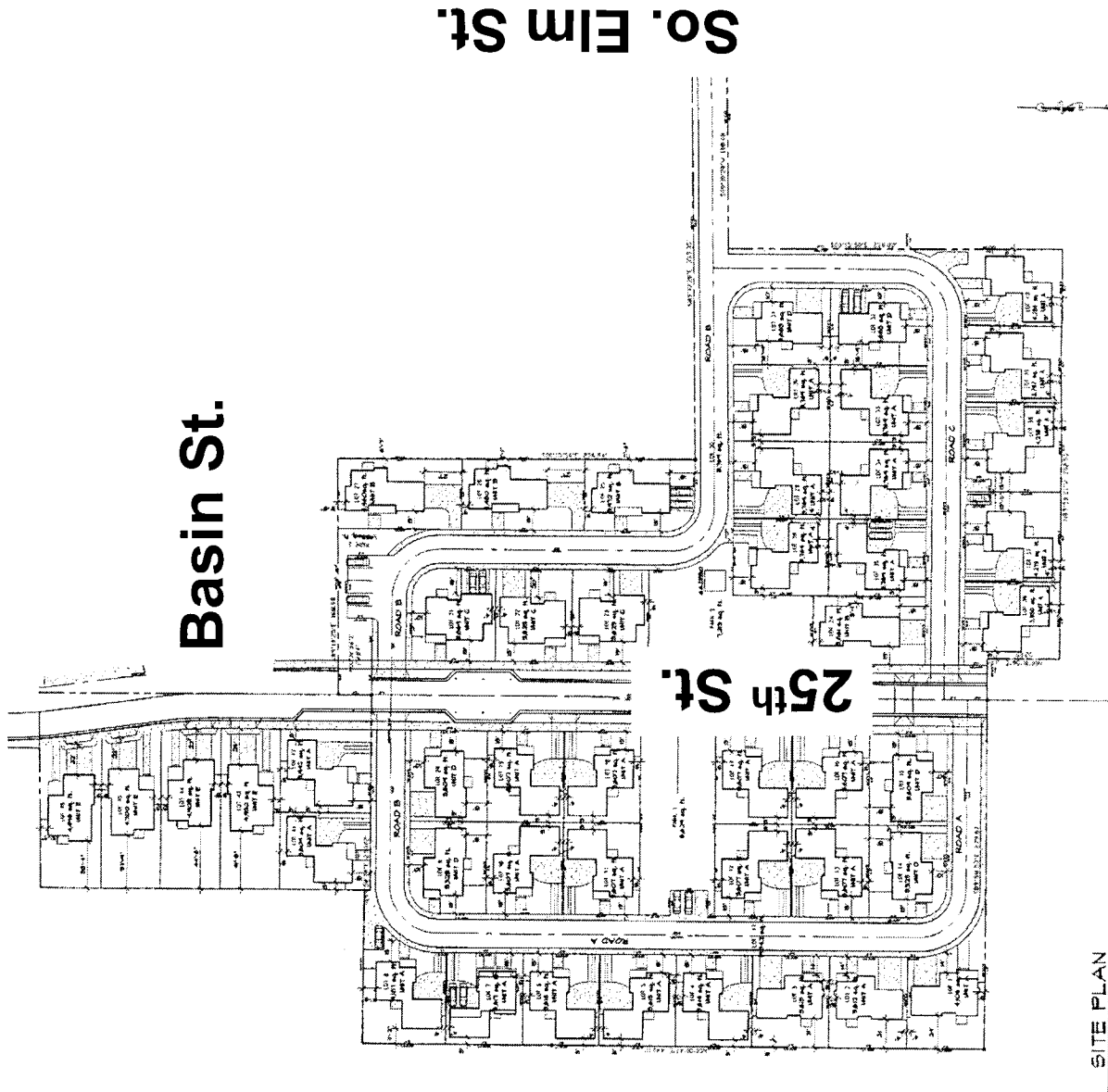
**EXHIBIT**

Site Vicinity





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EXHIBIT

Site Plan

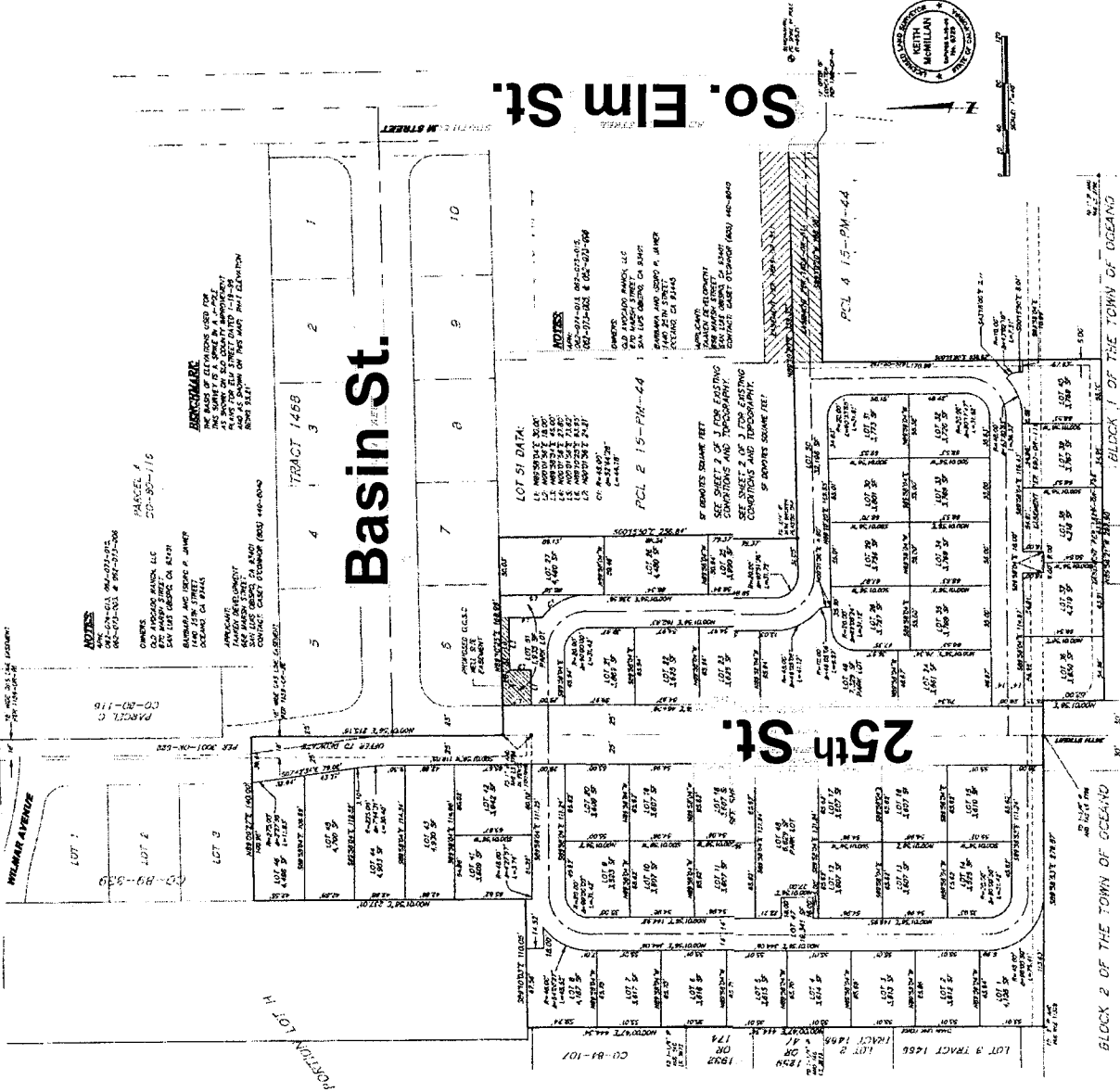


PROJECT

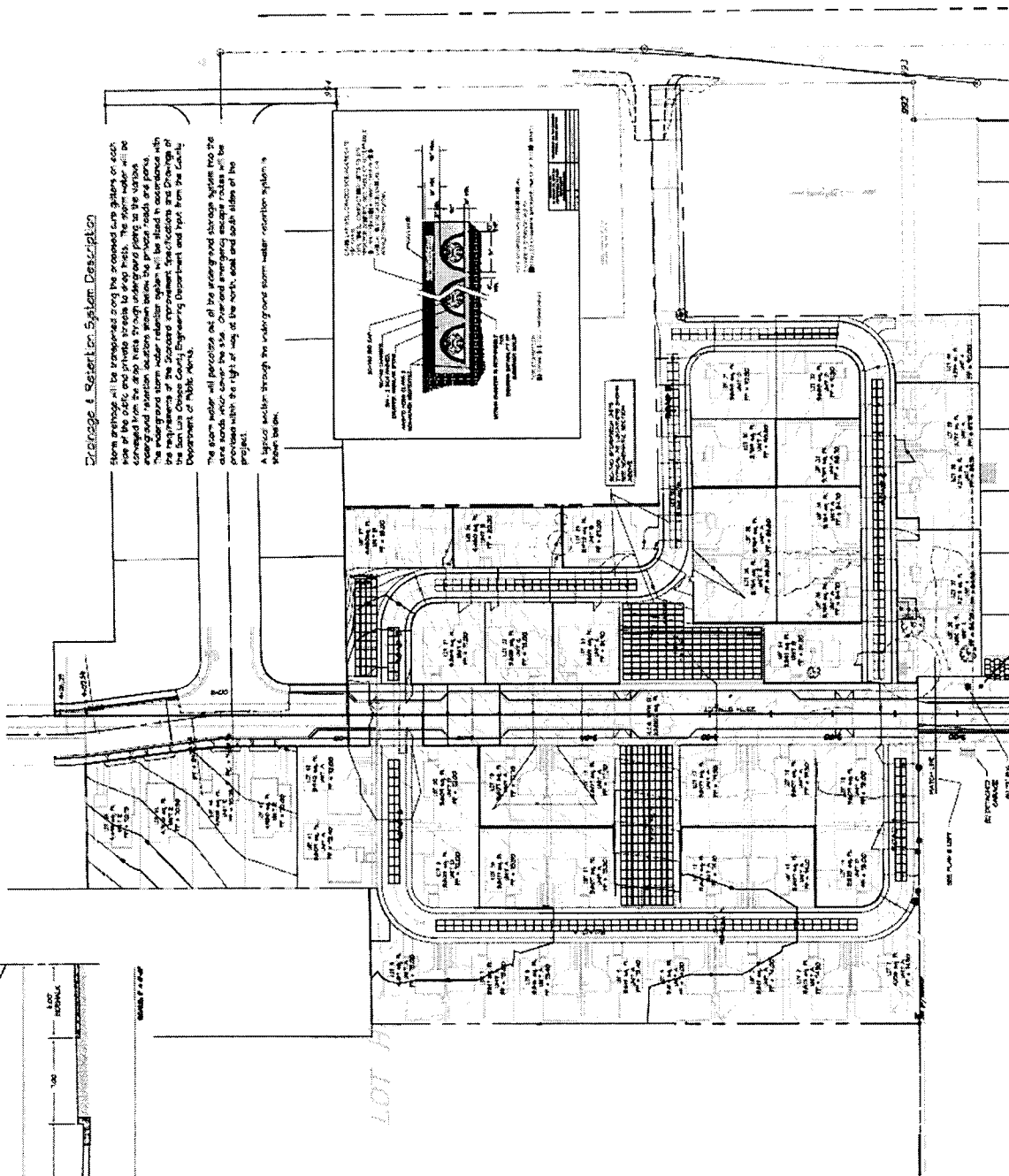
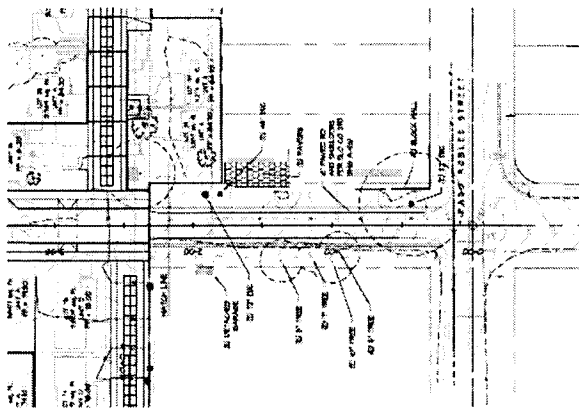
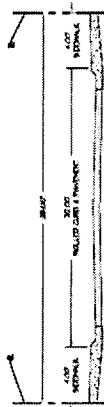
Tract Map 2758

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# SECTION THROUGH ELM STREET ACCESS

TYPICAL 25<sup>TH</sup> STREET SECTION

# PRELIMINARY GRADING PLAN

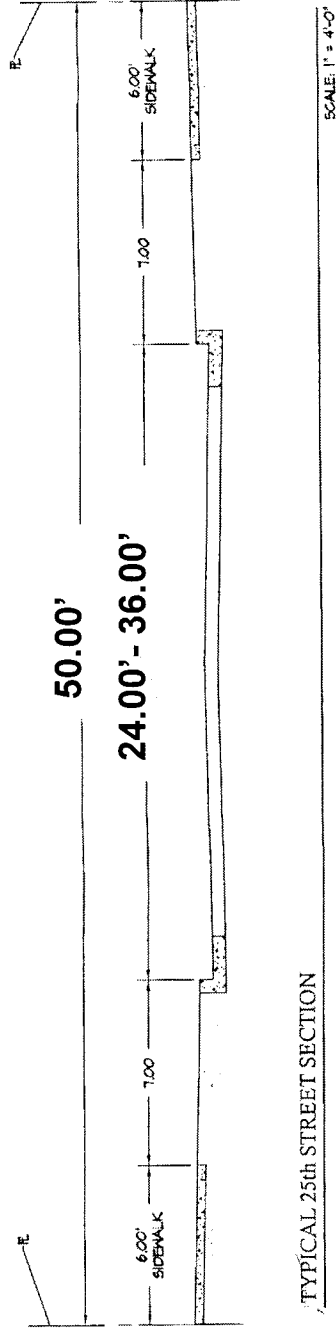


Takken SUB2004-00389

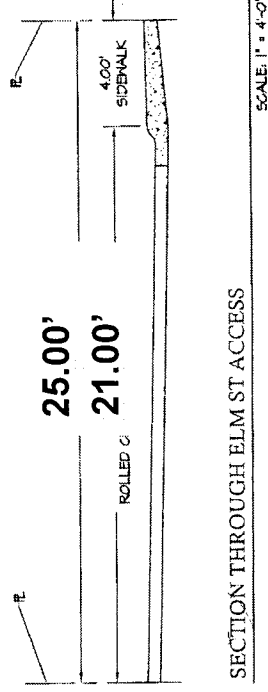
**EXHIBIT**

## Grading & Drainage Plan

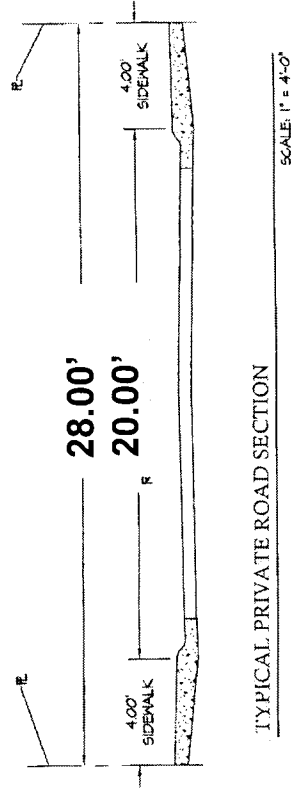
1-32



Section A



Section B



Section C

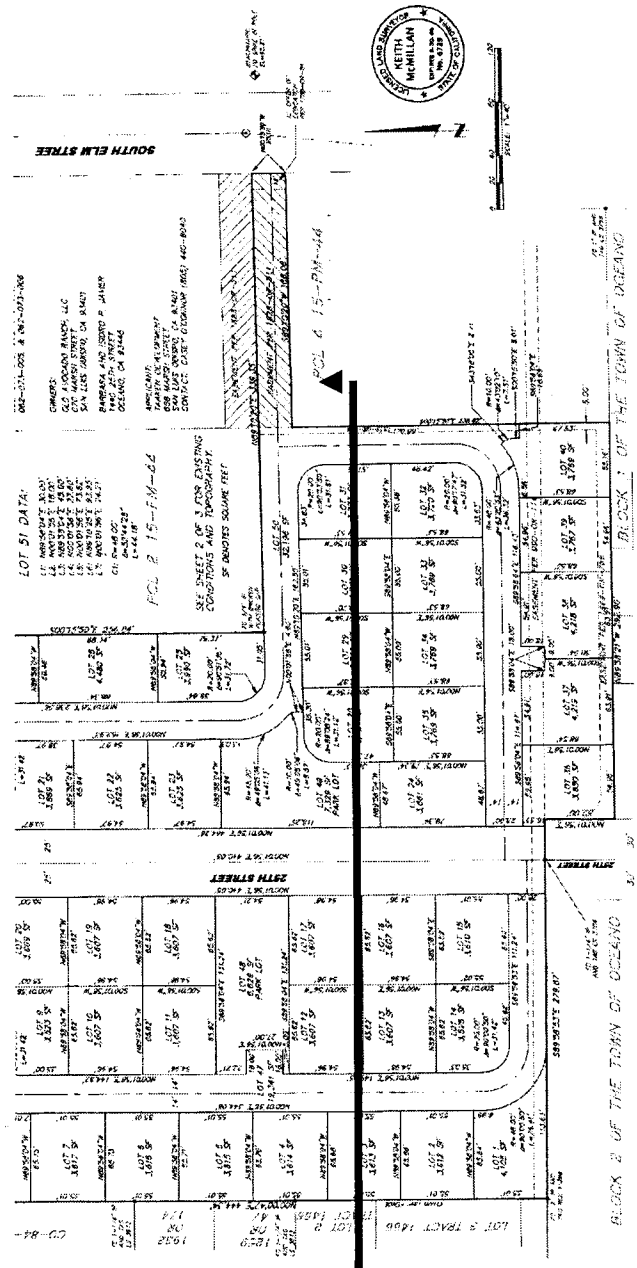
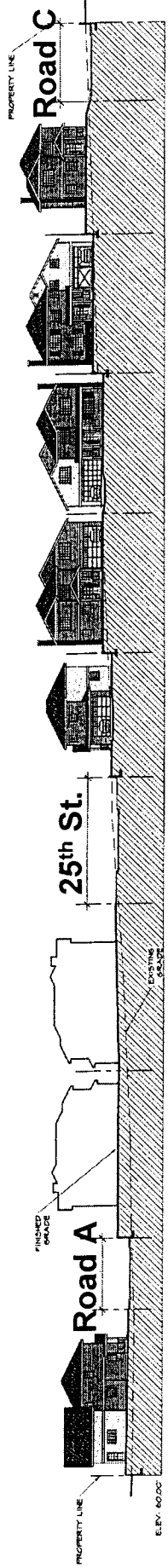
PROJECT

Tract Map 2758  
Takken SUB2004-00389

EXHIBIT

Section

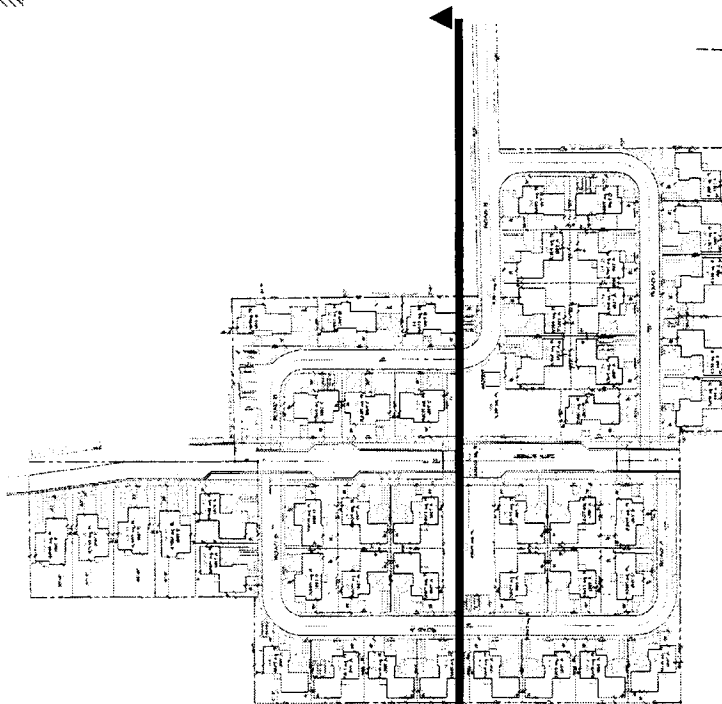
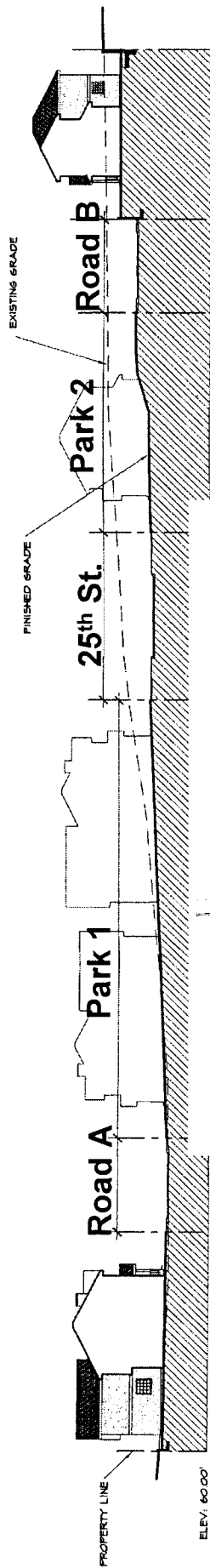




1-33



1-34



B

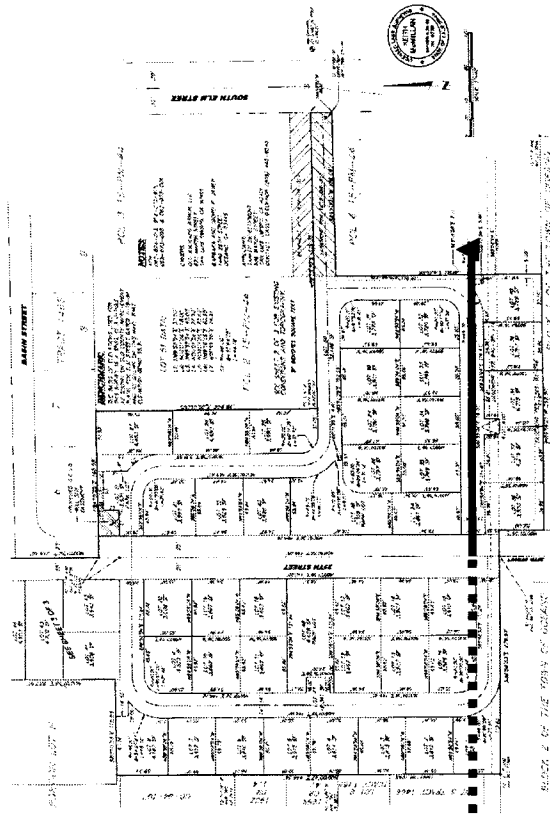
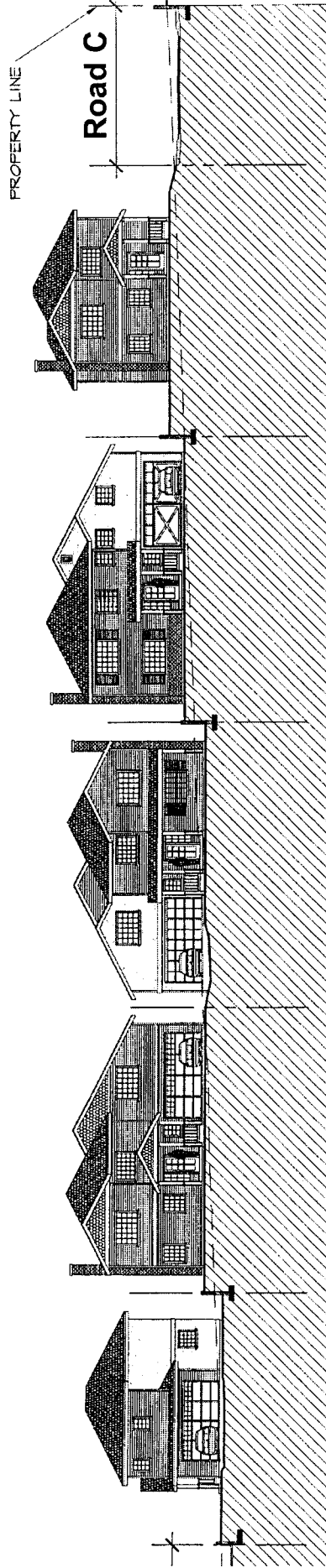
PROJECT

Tract Map 2758  
Taken SUB2004-00389

EXHIBIT

Site Section B





1-35

A

PROJECT

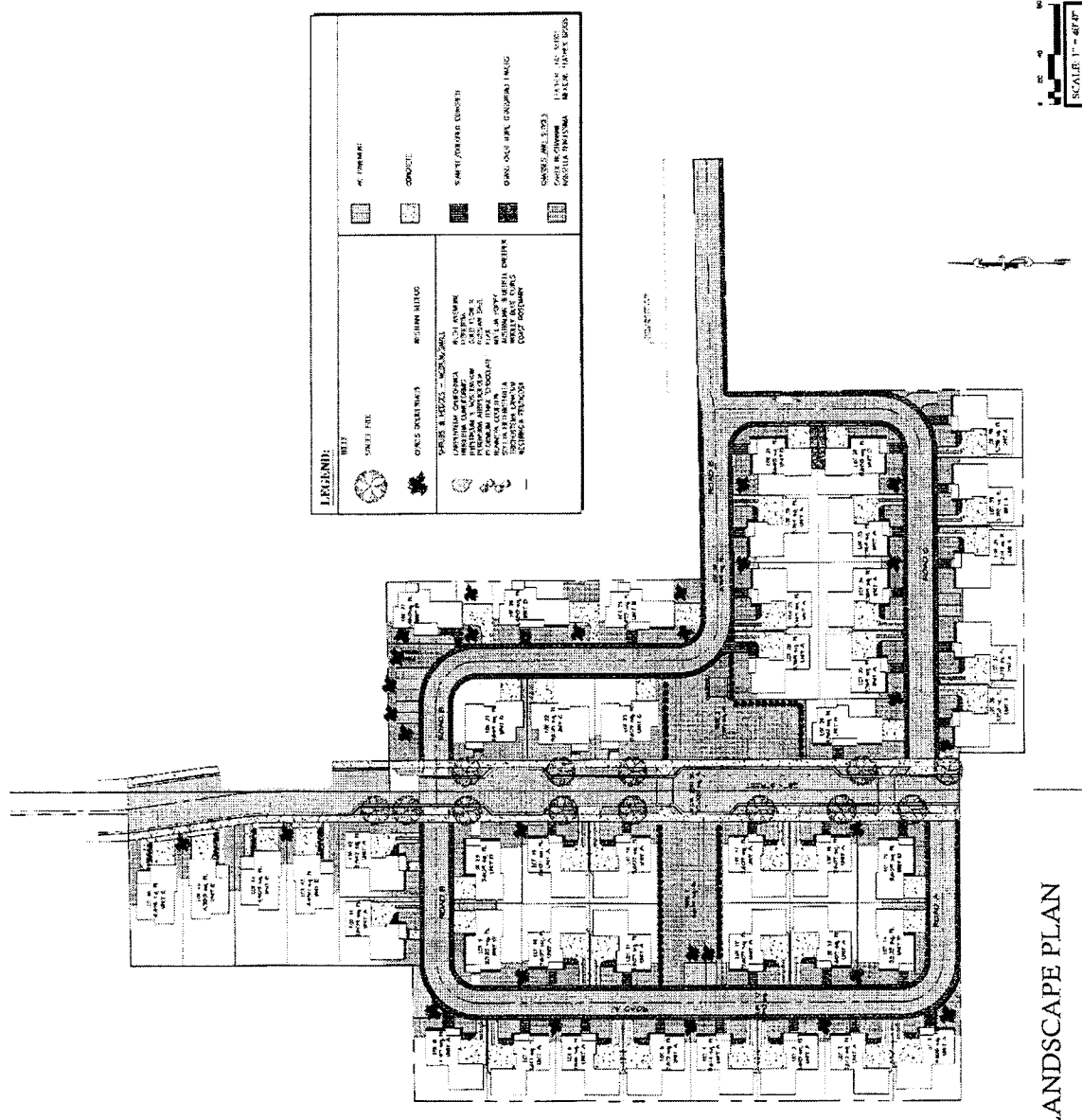
Tract Map 2758  
Taken SUB2004-00389

EXHIBIT

Site Cross Section A



1-36



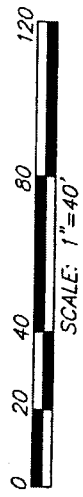
CONCEPTUAL LANDSCAPE PLAN

EXHIBIT  
Conceptual Landscape Plan

PROJECT  
Tract Map 2758  
Takken SUB2004-00389







**McMillan**  
*LAND SURVEYS*

2306 BROAD STREET  
SAN LUIS OBISPO, CA. 93401  
(805) 541-1663 (FAX) 541-1664  
DATE: 09-09-2005  
JOB NO. 358-06

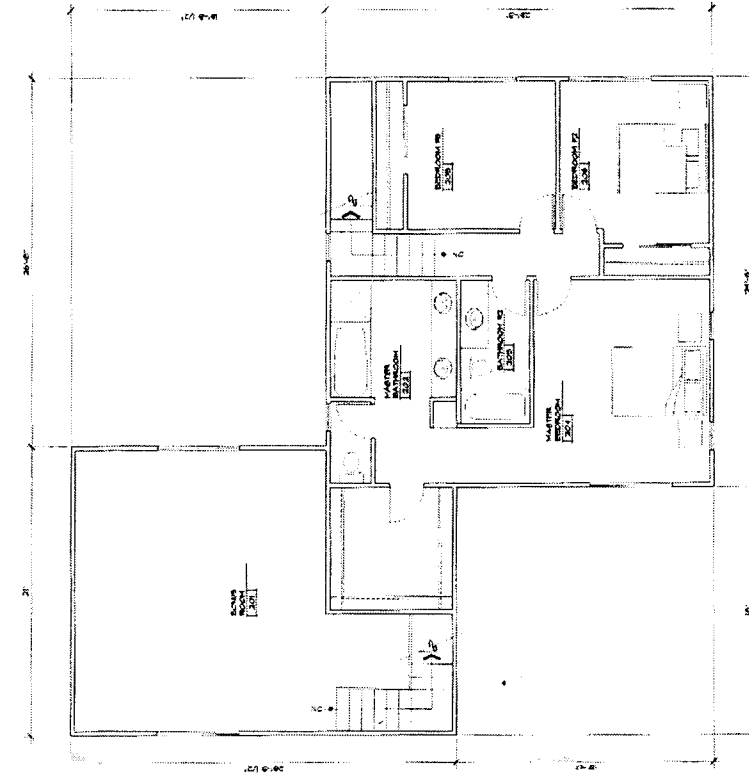
LOCK 2 OF THE TOWN OF OCEACEANO  
DETACHE



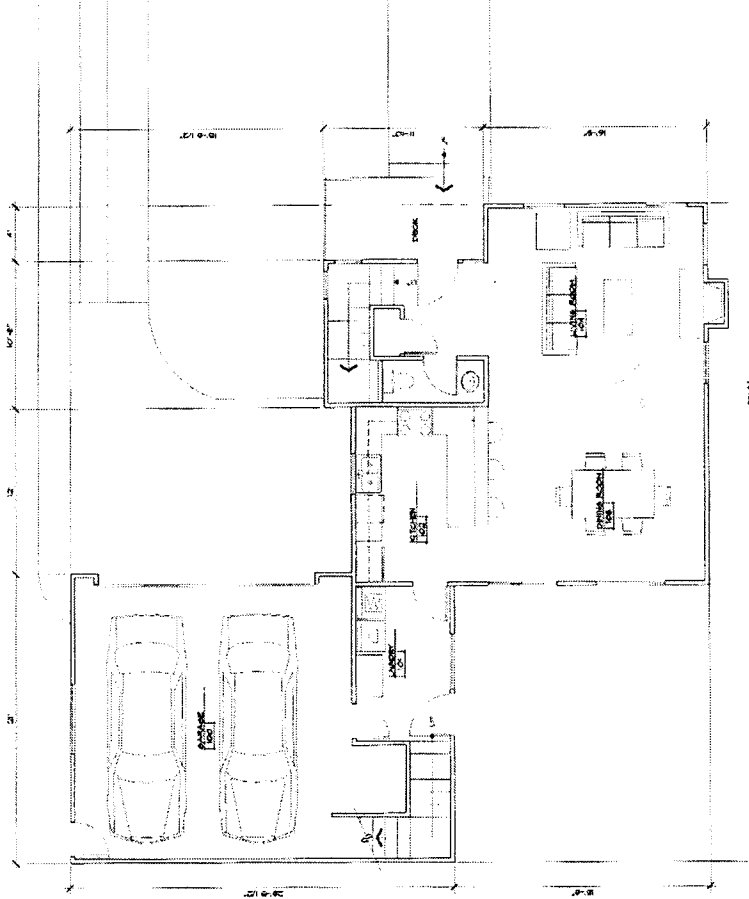
**EXHIBIT** — **Tree Protection Plan**

**PROJECT** — Tract Map 2758  
Takken SUB2004-00389

1-38



2ND FLOOR PLAN  
2ND FLOOR - 218 SF



1ST FLOOR PLAN  
1ST FLOOR - 858 SF  
GARAGE - 444 SF

PROJECT

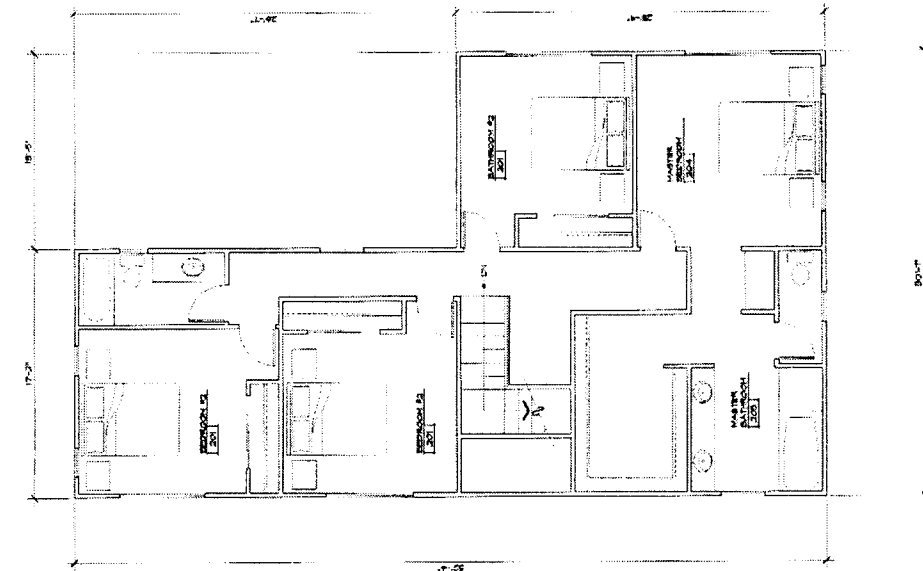
Tract Map 2758  
Takken SUB2004-00389

EXHIBIT

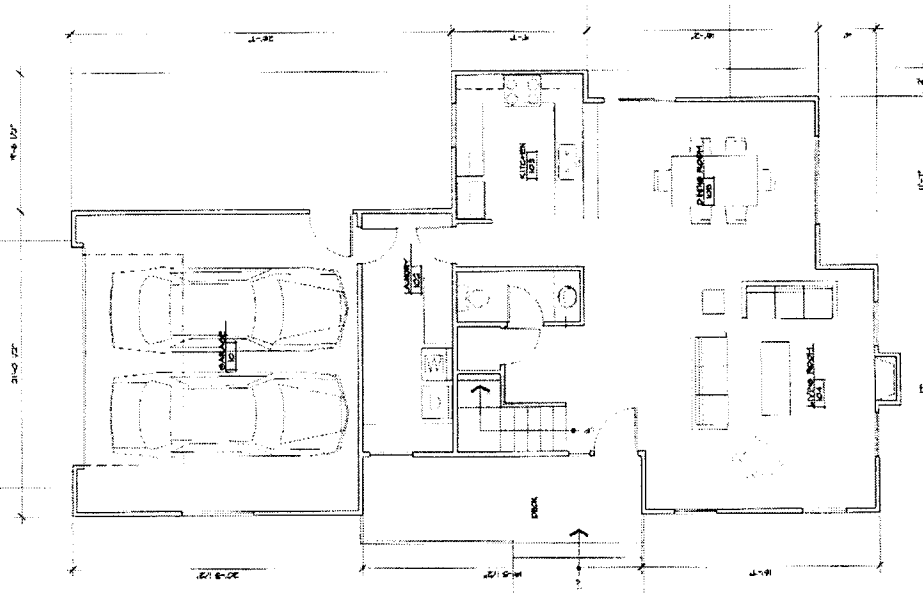
Floor Plan - A



1-39



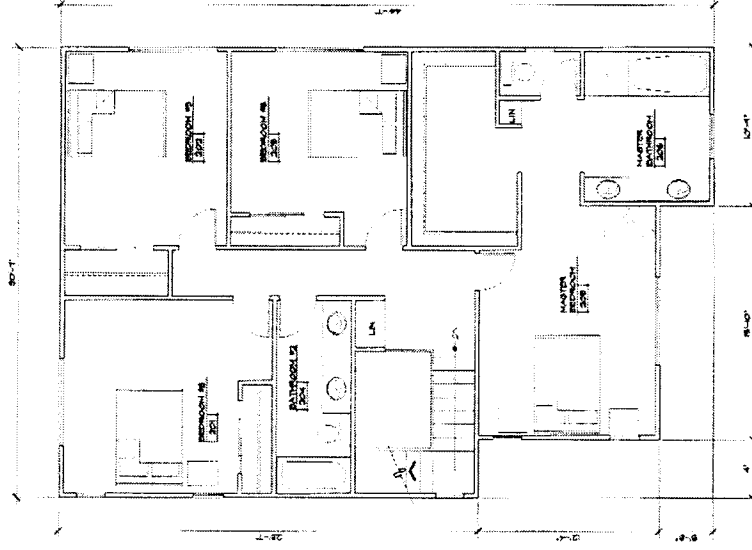
2ND FLOOR PLAN  
2ND FLOOR: 1155 SF  
1/4"=1'-0"



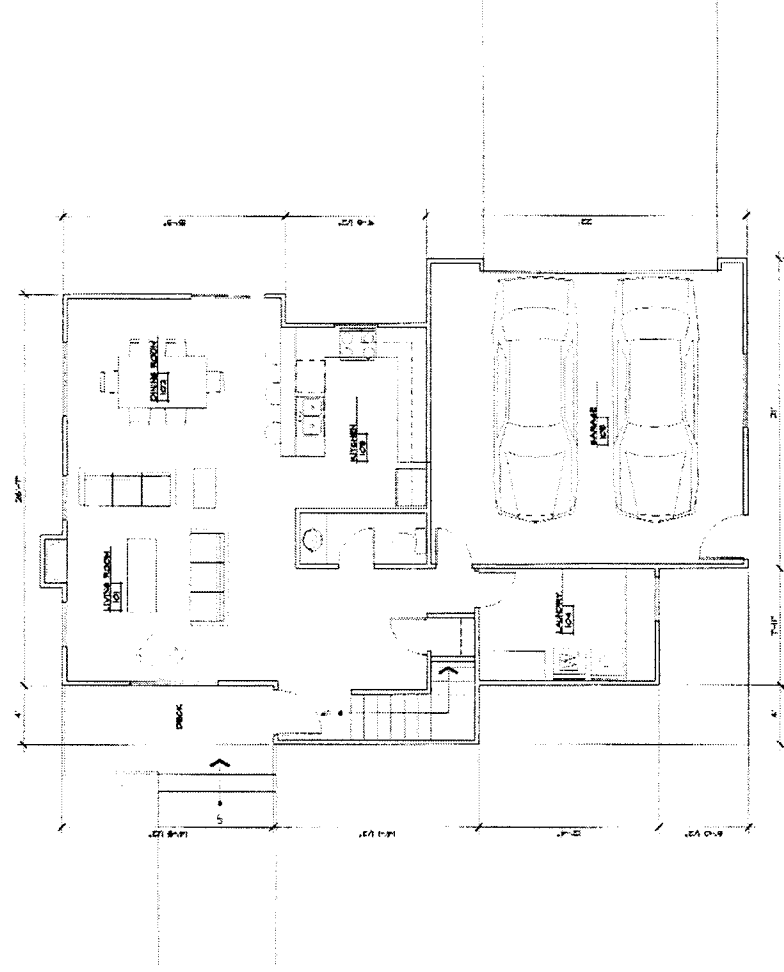
1ST FLOOR PLAN  
1ST FLOOR: 698 SF  
GARAGE: 422 SF  
1/4"=1'-0"



1-40



2ND FLOOR PLAN  
2ND FLOOR 1165 SF  
1/4"=1'-0"



1ST FLOOR PLAN  
1ST FLOOR 1425 SF  
GARAGE 405 SF  
1/4"=1'-0"

PROJECT

Tract Map 2758  
Taken SUB2004-00389

EXHIBIT

Floor Plan - C

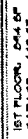
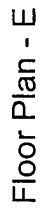




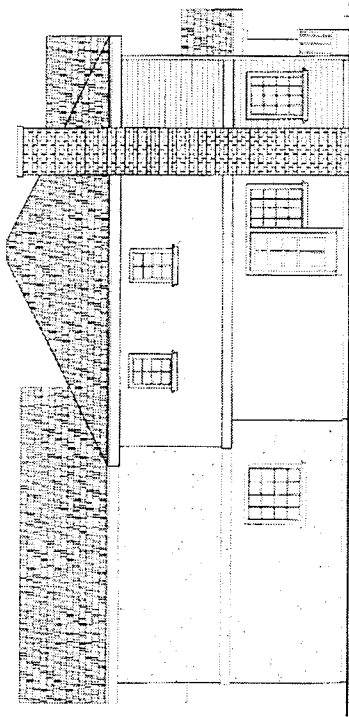
Tract Map 2758  
Takken SUB2004-00389

**EXHIBIT**

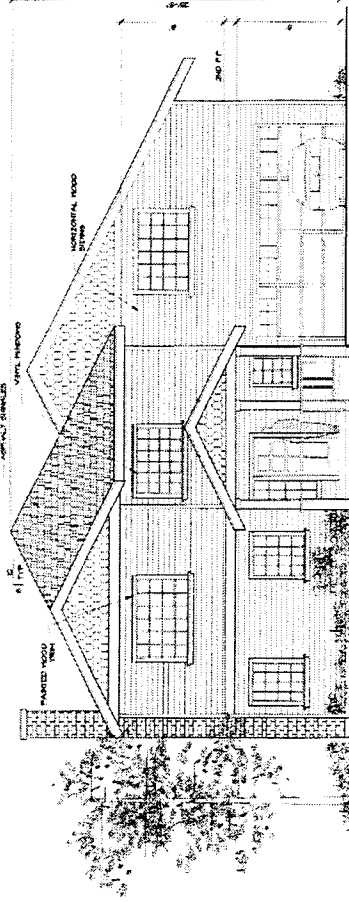
## Floor Plan - D

 $1/4 \times 1 \times 0^6$ 
$$\sqrt{4} = 2$$


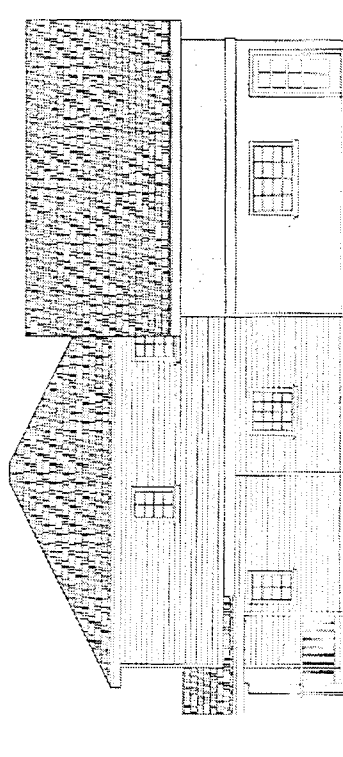
1-43



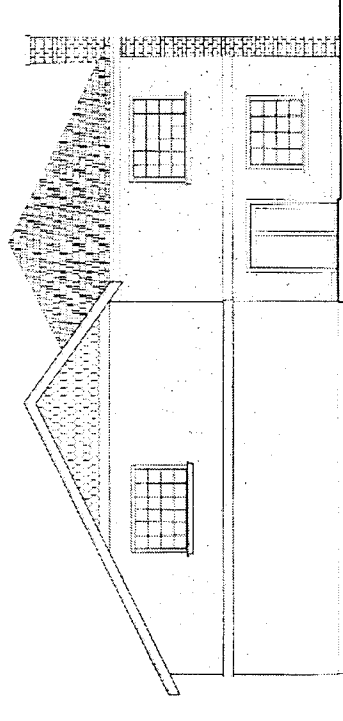
LEFT ELEVATION



FRONT ELEVATION



RIGHT ELEVATION



REAR ELEVATION

**PROJECT**

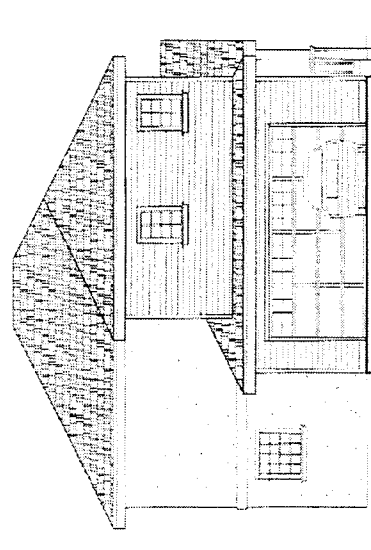
Tract Map 2758  
Takken SUB2004-00389

**EXHIBIT**

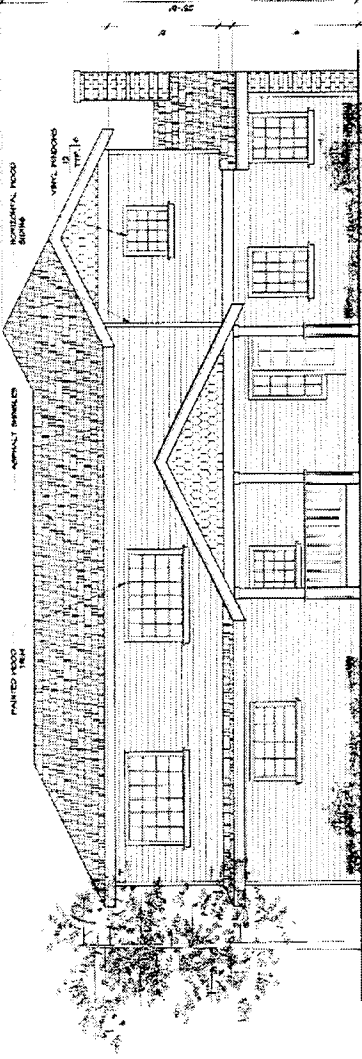
Elevation - A



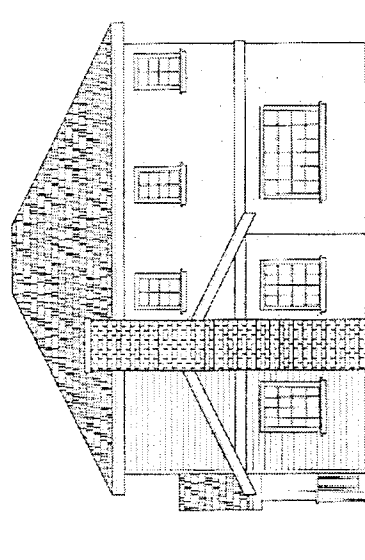
1-44



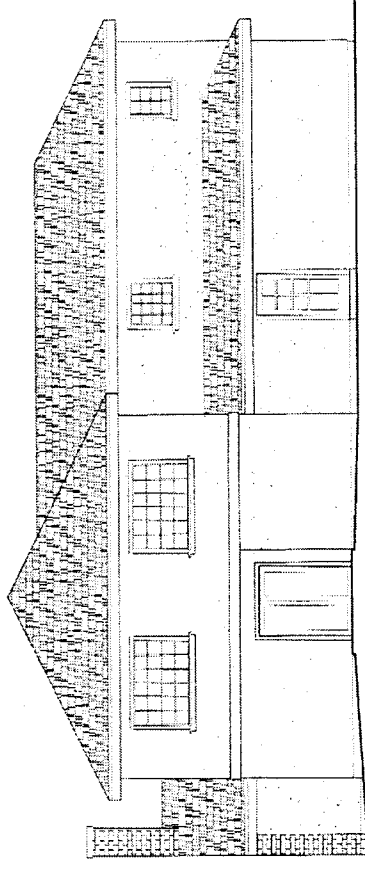
LEFT ELEVATION



FRONT ELEVATION



RIGHT ELEVATION



REAR ELEVATION

PROJECT

Tract Map 2758  
Takken SUB2004-00389

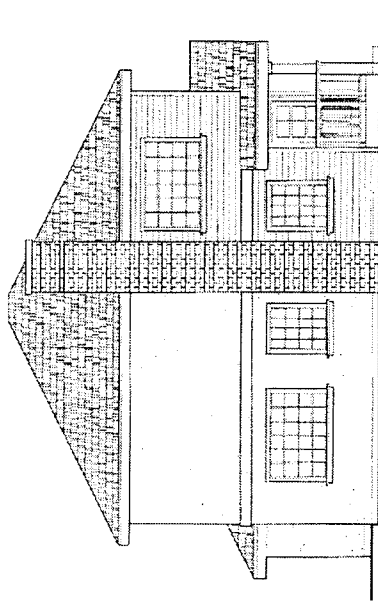
EXHIBIT

Elevation - B

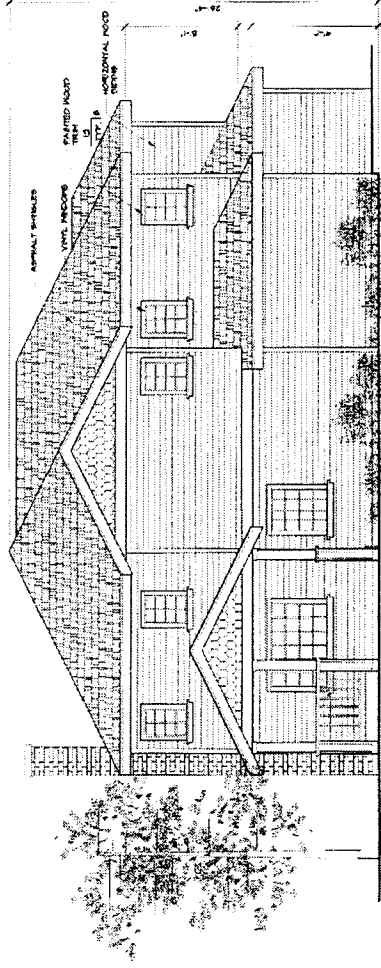




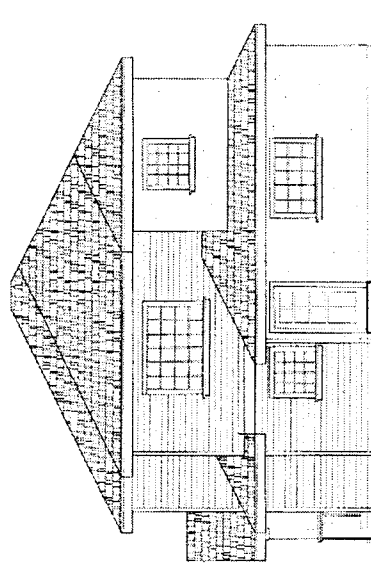
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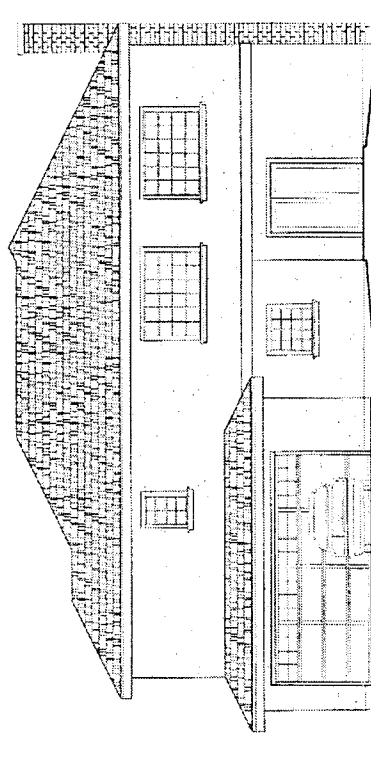
LEFT SIDE ELEVATION



FRONT ELEVATION



RIGHT SIDE ELEVATION



REAR ELEVATION

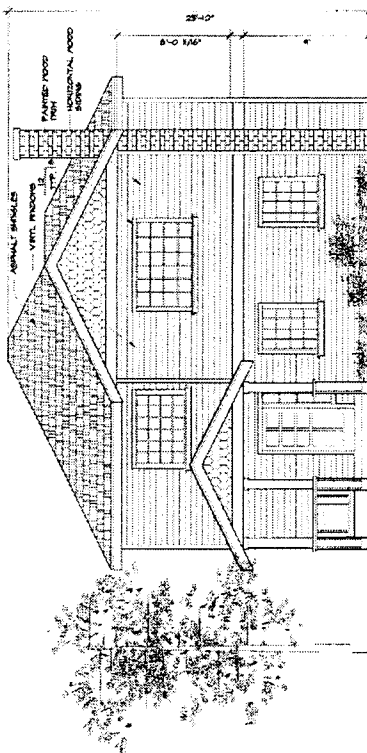
PROJECT

Tract Map 2758  
Takken SUB2004-00389

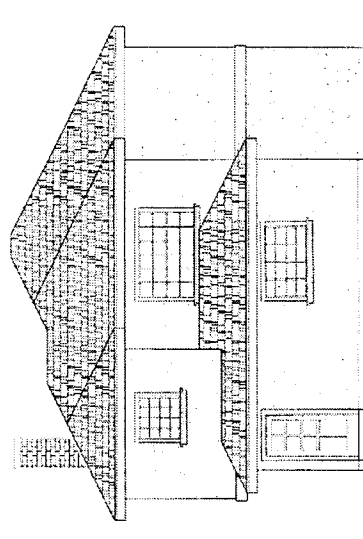
EXHIBIT

Elevation - C





FRONT ELEVATION

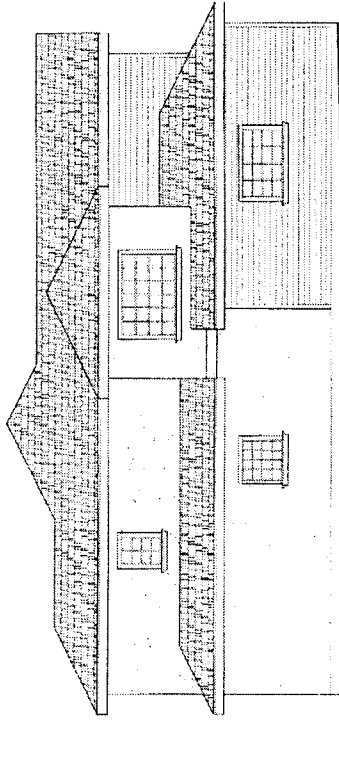


REAR ELEVATION:

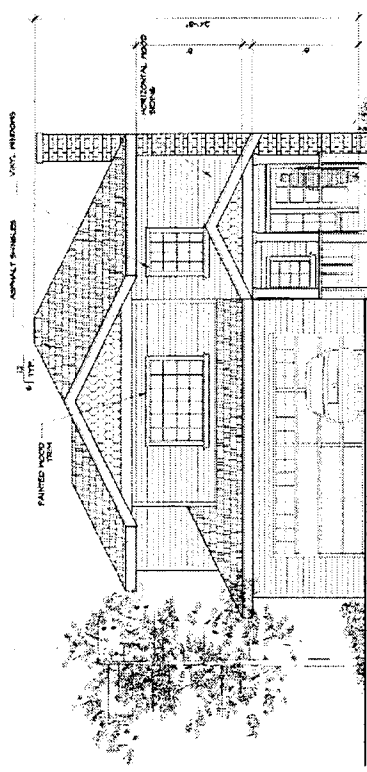


PROJECT	EXHIBIT
Tract Map 2758 Taken S1B2004-00389	Elevation - D

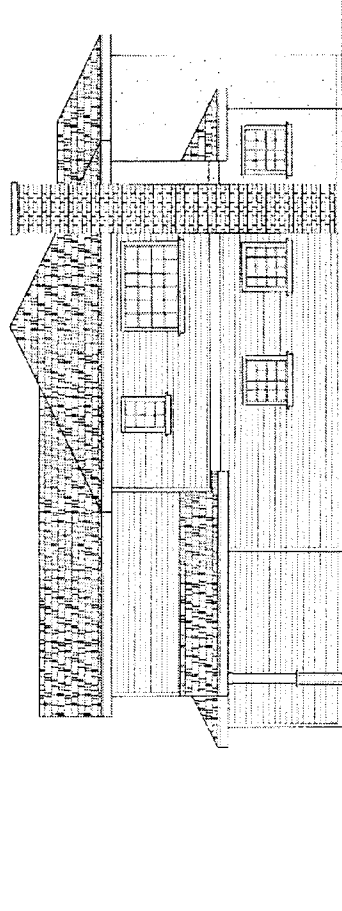
1-49



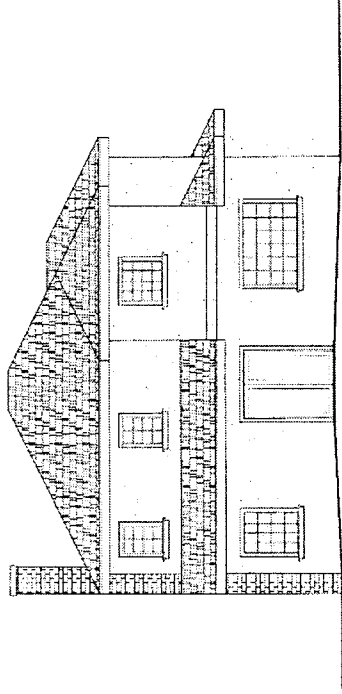
LEFT SIDE ELEVATION



FRONT ELEVATION



RIGHT SIDE ELEVATION



REAR ELEVATION

PROJECT

Tract Map 2758  
Taken SUB2004-00389

EXHIBIT

Elevation - E



1-48



## Oceano Community Services District

1655 Front Street, P. O. Box 599, Oceano, CA 93445 (805) 481-6730 FAX (805) 481-6836

December 14, 2005

Mr. Casey O'Connor  
Takken Development Company  
670 Marsh Street  
San Luis Obispo, California 93401

**SUBJECT: APN 062-074-013 & 062-073-005 & -015; OCSD PROJECT #6340  
SLO COUNTY PERMIT#2004-00389  
OWNER/PROJECT: TAAKEN DEVELOPMENT CO./ 46 UNIT DEVELOPMENT**

Dear Mr. O'Connor:

Oceano Community Services District will serve the **46 UNIT DEVELOPMENT** proposed for APN 062-074-013 & 062-073-005 & -015; subject to the following conditions:


1. Obtain valid OCSD and SSLOCSD permits. There will be fees dues.
2. Show onsite water and sewer services and cleanouts on plot plan.
3. Offsite improvements for water, sewer, street lighting, and/or fire protection will be required and will be determined when engineered plans are submitted for District review.
4. *A fire safety plan will be required.*
5. If any of the District facilities are required to be moved, raised, or in any way altered or changed because of required conditions of the District or any other agency having jurisdiction over the proposed development, the owner, developer, contractor, or agent responsible shall bring such facilities up to a minimum District standard of design and access.
6. If District facilities (such as water and/or sewer lines) extend into or across the subject property, you will be required to prepare and submit appropriate easement documents and/or encroachment permits for acceptance by the District's Board of Directors and recording with the County Clerk-Recorder.

Curbs, gutters and sidewalks will be required pursuant to County Ordinance 22.05.106 at owner's expense.

This letter will expire December 14, 2006 and is nontransferable. The District reserves the right to review service at the time permits are issued. If you have any questions, please contact the office at (805) 481-6730.

Yours truly,

OCEANO COMMUNITY SERVICES DISTRICT

  
Francis M. Cooney, General Manager  
FMC/PTD/jc  
Attachment

Post-it® Fax Note	7671	Date	# of pages ▶
To	Marsha Lee	From	Rece. for
Co./Dept.		Co.	Casey O'Connor
Phone #		Phone #	(805) 544-3570
Fax #	(805) 781-1242	Fax #	X13

1-49

**OCEANO COMMUNITY SERVICES DISTRICT  
FIRE SAFETY PLAN  
ATTACHMENT A**

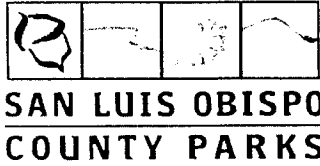
22.05.082 - FIRE SAFETY PLANb. Fire Safety Plan Content:

1. Urban and village areas: A fire safety plan is to identify the location of the fire hydrant nearest to the site; the location of any emergency firefighting equipment or water supplies on the proposed site; the location of any explosive or flammable materials; and means of access to all structures available for firefighting equipment.
2. Rural areas: A fire safety plan is to include the location of: available water storage; any storage of fuel, explosives, flammable or combustible liquids and gases; and identification of the extent of proposed vegetative fuel reduction areas.
3. Exception of content requirements: Where the applicable fire protection agency determines that information provided with the project application and plans is sufficient to enable fire safety review without the need for a separate fire safety plan, the information required by subsections b(1) and b(2) of this section need not be supplied. A letter verifying the adequacy of application information shall be submitted to the Planning and Building Department.

[County of San Luis Obispo, Amended 1991, Ord. 2523]

Post-it® Fax Note	7671	Date	12-6-06	# of pages	1
To	Maria Lee	From	Phil		
Co./Dept.	SLO CO	Co.	CCSD		
Phone #		Phone #			
Fax #	781-1242	Fax #			

1-50



# MEMO

TO: Casey (FAX 544-1146)

FROM: Jan Di Leo

DATE: November 4, 2005

RE: **Takken Development - Tract 2758 - Proposed Parks and Potential Quimby Credit**

Per your phone call on Wednesday, November 2, 2005, Parks Division is responding to your request for a Quimby Credit for Tract 2758. In your application, it would appear there are common areas proposed as small parks. Since you are proposing park area your project may be eligible for a 50% Quimby Credit.

Attached are sections of the San Luis Obispo County Quimby Ordinance that are relevant to obtaining a Quimby credit. Please note, you must be consistent with Sections 21.09.022 (a - b), and 21.09.020 (a-e). If you feel you are consistent with these sections and you are interested in obtaining up to a 50% Quimby Credit please:

1. Provide a written response to Sections 21.09.022 (a and b) and 21.09.020 (a-e). Please note, Section 21.09.020 (e) requires that the land *provide* recreation. Thus, your proposal should include recreational items such as a tot lot, barbecues, picnic tables, etc. The credit is equivalent to the cost of providing these items as well as design, landscaping and engineering costs.
2. Provide a site plan or a written description outlining the items proposed within the park.
3. Indicate in your letter your Planner (from the Planning & Building Department) and your project's case numbers (i.e., TR 2552, S020357U).
4. Send this information to Jan Di Leo, General Services Department, 1087 Santa Rosa Street, San Luis Obispo, CA 93408.

Once I receive your request I will let you know if I have questions or concerns with your proposal. Once Parks has reviewed your request, we will make a written determination whether a credit is in order and the amount of the credit. If you have other questions please give me a call at (805) 781-4089 or send me an e-mail at [jdileo@co.slo.ca.us](mailto:jdileo@co.slo.ca.us). THANKS!

cc: Stephanie Fuhs, Planning & Building Department

Margie - I think this was supposed to go to you.  
SF

1-51

21.09

**21.09.022 - Choice and method of dedication of land and/or payment of fees.** The procedure for determining whether a divider is to dedicate land, pay a fee, or do both, shall be as follows:

- (a) At the time of filing an application for a tentative map, the divider as a part of filing shall indicate whether a dedication of property for park and recreational purposes is proposed, or whether payment of an in-lieu fee is proposed. If dedication of land is proposed, the area proposed shall be designated on the tentative map. If the property is located outside the boundaries of the proposed division, another map shall be submitted to the Department of Planning and Building showing the location of the property to be dedicated.
- (b) If the divider is requesting credit for common open space pursuant to Section 21.09.020, the request for such credit must be submitted in writing at the time of filing the application, with a copy of such request submitted to the Director of General Services outlining the following:
  - (1) The acreage and average slope of the open space area being offered for park purposes; and,
  - (2) A description of on-site recreational amenities being proposed, detailing the location of said facilities within the division of land; and,
  - (3) The proposed form of ownership and method of maintenance of the open space and facilities.
- (c) When land dedication is required, it shall be accomplished in accordance with the provisions of the Subdivision Map Act and of Section 21.09.030. When fees are required, they shall be paid to the County Treasurer prior to recordation of the tract or parcel map or prior to a finding waiving the requirement for a parcel map pursuant to Section 21.02.010(e) and shall be held until such time as the map is recorded, withdrawn by the divider, or the time for recordation expires. If the parcel or tract map is withdrawn or the time for recordation expires, the funds shall be returned without interest to the divider.
- (d) Deeds and recorded covenants for private common open space approved pursuant to Section 21.09.020 must be approved by the Director of Planning and Building and County Counsel prior to approval of the tentative map, and the divider shall make all conveyances of the parcels within the division subject to such deeds and recorded covenants.

1-52

21.09

time determine the current average cost of developing one acre of park land within the county. The divider shall pay a fee determined by multiplying such cost by the number of dwelling units expected to be generated by the proposed division by 0.00759. The amount of fee required in lieu of land dedication shall be based on the fee schedule in effect when the divider records the parcel or tract map.

[Added 1993, Ord. 2636]

**21.09.020 - Credit for common open space.** Where usable common open space for park and recreational purposes is provided in a proposed division of land and such space is to be privately owned and maintained by the future residents of the subdivision, partial credit, not to exceed 50%, may be given against the requirement of land dedication or payment of fees in lieu thereof if the Review Authority finds that it is in the public interest to do so, and that all of the following standards are met:

- (a) That yards, setbacks, open space required for cluster divisions, and other open areas required by Title 22, Title 23, and Title 19 of this code, including areas credited against minimum lot sizes, shall not be included in computing the amount of such common open space; and,
- (b) That the private ownership and maintenance of the open space shall be adequately provided for by deeds and recorded covenants; and
- (c) That the use of common open space shall be restricted for park and recreational purposes by recorded covenants which run with the land in favor of the existing and future owners of the property within the division of land and which cannot be eliminated without the consent of the county; and,
- (d) That the proposed common open space is reasonably adaptable for use for park and recreational purposes as determined by the county; and,
- (e) That the open space for which credit is given will meet the needs of the future residents of the subdivision, or, alternatively, that the land and/or facilities offered provide a special recreational benefit to the subdivision not otherwise provided in available park and recreational facilities.

[Added 1993, Ord. 2636]





1-53  
JUN 20 2005  
PULL 6340+  
to 405

SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING

19  
VICTOR HOLANDA, AICP  
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE:

6/13/05

TO:

Oceano CSD

FROM:

South Co. Team

(Please direct response to the above)

Takken

SUB 2004-00389

Project Name and Number

Avocado Ranch

Development Review Section (Phone:

788-2009 )

\*OR ASK THE SWITCH-  
(BOARD FOR THE PLANNERS)

PROJECT DESCRIPTION:

Conc. Tract map w/ CUP. 40 unit  
PUD located off 25th & Paso Robles St. in Oceano.  
site - 240, 944 s.f. APNs - 062-074-013 &  
062-073-015

Return this letter with your comments attached no later than:

6/28/05

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒

YES

☐ NO

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒

NO (Please go on to Part III)

☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE

WE RECOMMEND APPROVAL, UPON SATISFACTORY COMPLETION OF ALL

REQUIREMENTS AS STATED IN THE OCSD WILL SERVE LETTER.

JUNE 16, 2005

Date

Philip T. Davis

Name PHILIP T. DAVIS

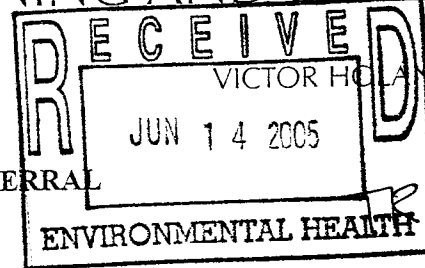
(805) 481-6730

Phone



1-54 19  
SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING

MJL



THIS IS A NEW PROJECT REFERRAL

DATE:

6/13/05

TO:

Env. Health

FROM:

South Co. Team

(Please direct response to the above)

Takken

SUB 2004-00389

Project Name and Number

Avocado Ranch

Development Review Section (Phone:

788-2009 )

\*OR ASK THE SWITCH-  
(BOARD FOR THE PLANNER)

PROJECT DESCRIPTION:

Cone. Tract map w/ CUP - 40 unit  
PUD located off 25th & Paso Robles St. in Oceano.  
Site - 240, 944 s.f. APNs - 062-074-013 &  
062-073-015

Return this letter with your comments attached no later than:

6/28/05

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

\_\_\_\_ YES  
\_\_\_\_ NO

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

\_\_\_\_ NO (Please go on to Part III)  
\_\_\_\_ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE

Please provide applicant with stock conditions for community water & sewer. The applicant shall provide intent to serve to this office to receive preliminary approval. Applicant will need to provide a full site exhibit showing project and all existing facilities already on-site i.e. wells, water course, structures etc.

6/22/05

Date

Xavier Sal

Name

781-5551

Phone



1-55  
County of San Luis Obispo • Public Health Department

*Environmental Health Services*

2156 Sierra Way • P.O. Box 1489  
San Luis Obispo, California 93406  
(805) 781-5544 • FAX: (805) 781-4211

*Gregory Thomas, M.D., M.P.H.*  
*County Health Officer*  
*Public Health Director*

*Curtis A. Batson, R.E.H.S.*  
*Director*

JUN 24 2005

June 23, 2005

Casey O'Connor  
668 Marsh Street  
San Luis Obispo, CA 93401

ATTN: CASEY O'CONNOR  
RE: TENTATIVE TRACT MAP 2758 (TAKKEN DEVELOPMENT)  
APN# 062-074-013 AND 062-073-015

Water Supply and Wastewater Disposal

This office is in receipt of a **preliminary** will serve letter from the Oceano Community Services District to provide water and sewer services to the above noted tract map. Be advised that a final will serve letter and a full size map will be required prior to final recordation. Water and sewer improvements shall be built to each parcel or a bond can be placed with the county to perform the work at a later date. The bond must be reviewed and approved **prior** to recordation of the map.

**TRACT 2758** is approved for Health Agency subdivision map processing.

*Laurie A. Salo*

LAURIE A. SALO, R.E.H.S.  
Senior Environmental Health Specialist  
Land Use Section

c Kami Griffin, County Planning  
OCSD  
Takken Development Co., Owner

1-56




COUNTY OF SAN LUIS OBISPO

**Department of Agriculture/Measurement Standards**

2156 SIERRA WAY, SUITE A • SAN LUIS OBISPO, CALIFORNIA 93401-4556  
ROBERT F. LILLEY (805) 781-5910  
AGRICULTURAL COMMISSIONER/SEALER FAX (805) 781-1035

AgCommSLO@co.slo.ca.us

**DATE:** July 12, 2005  
**TO:** Marsha Lee, Project Manager  
**FROM:** Lynda L. Auchinachie, Agriculture Department   
**SUBJECT:** Takken PUD/Tract 2758 SUB2004-00389 (1051)

**Summary**

The applicant is proposing to subdivide an approximately five and one half-acre parcel into 40 residential parcels within the Residential Single Family land use category. The project site is located at 2501 25<sup>th</sup> Street, in the community of Oceano. An agricultural operation consisting of irrigated row crops is located east of the project site. The Agriculture Department's review finds that the proposal would result in **less than significant impacts** to agricultural resources or operations with the incorporation of the following mitigation measure into the project.

**Recommended Mitigation Measure**

1. Provide supplemental disclosure to purchasers of these properties concerning the existing and potential intensive agricultural operations on nearby properties, including built not limited to dust, noise, odors, and agricultural chemicals, and of the County's Right-to-Farm Ordinance.

The comments and recommendations in our report are based on policies in the San Luis Obispo County Agriculture and Open Space Element, the Land Use Ordinance, the California Environmental Quality Act (CEQA), and on current departmental policy to conserve agricultural resources and to provide for public health, safety and welfare while mitigating negative impacts of development to agriculture.

1-57

**A. Project Description and Agricultural Setting**

The applicant is proposing to subdivide an approximately five and one half-acre parcel into 40 residential parcels within the Residential Single Family land use category. The project site is located at 2501 25<sup>th</sup> Street, in the community of Oceano. Surrounding properties are within the Residential Single Family land use category and are developed with residences.

The project site includes approximately three acres of a remnant avocado orchard. The orchard has not been maintained for commercial purposes for a number of years. A 35-acre agricultural operation is located east of the project site. This property is under Williamson contract and supports a variety of irrigated row crops.

**B. Impacts to Agricultural Operations**

One of the primary goals of the Agriculture and Open Space Element is to ensure the long-term viability of agricultural resources and operations. Part of the land use review process is to identify potential land use conflicts between proposed development and existing production agriculture.

The development of the residential units will result in the removal of the remnant avocado orchard. The loss of these trees is not considered significant due to the condition of the trees and the inability to operate the orchards in a commercial capacity due to adjacent residential development.

The proposed residences do not require additional buffering from the agricultural operation located to the east, however, future property owners should be notified of agricultural activities in the area to mitigate potential impacts to less than significant levels.

**C. Recommended Mitigation Measure**

1. Provide supplemental disclosure to purchasers of these properties concerning the existing and potential intensive agricultural operations on nearby properties, including but not limited to dust, noise, odors, and agricultural chemicals, and of the County's Right-to-Farm Ordinance.

If we can be of further assistance, please call 781-5914.



1-58  
SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP  
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

19  
TR 2758

DATE:

6/13/05

TO:

Bill -> ALUC

FROM:

South Co. Team

(Please direct response to the above)

Takken

SUB 2004-00389

Project Name and Number

Avocado Ranch

Development Review Section (Phone:

788-2009 )

\*OR ASK THE SWITCH-  
( BOARD FOR THE PLANNERS)

PROJECT DESCRIPTION:

Conc. Tract map w/ CUP. 40 unit  
PUD located off 25th & Paso Robles St. in Oceano.  
Site - 240, 944 s.f. APNs - 062-074-013 &  
062-073-015

Return this letter with your comments attached no later than:

6/28/05

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

\_\_\_\_ YES  
\_\_\_\_ NO

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

\_\_\_\_ NO (Please go on to Part III)  
\_\_\_\_ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE

99% of property outside AR  
boundary - no need for ALUC Review

BC

Date

Name

Phone

ML

1-59

DATE: June 22, 2005

TO: South County Team  
San Luis Obispo County Department of Planning and Building

FROM: Melissa Guise  
San Luis Obispo County Air Pollution Control District

SUBJECT: Takken Tract Map with CUP (SUB 2004-00389)

JUN 24 2005

Thank you for including the APCD in the environmental review process. The project as described consists of a 40 unit PUD located off of 25th and Paso Robles Street in Oceano. We have the following comments regarding this project.

**GENERAL COMMENTS:**

As a commenting agency in the California Environmental Quality Act (CEQA) review process for a project, the APCD assesses air pollution impacts from both the construction and operational phases of a project, with separate significant thresholds for each. **Please address the action items contained in this letter that are highlighted by bold and underlined text.**

**SPECIFIC COMMENTS:**

**Construction Phase Emissions**

The project as described in the referral will exceed the District's CEQA significant threshold for construction phase emissions. **District staff recommends the following mitigation measures be incorporated in to the project to control dust:**

- Reduce the amount of the disturbed area where possible,
- Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible,
- All dirt stock-pile areas should be sprayed daily as needed,
- Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities,
- Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast-germinating native grass seed and watered until vegetation is established,
- All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD,
- All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used,
- Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site,
- All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114,

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1-60

Takken Tract Map (SUB2004-00389)

June 22, 2005

Page 2 of 3

- Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site, and
- Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.

All PM10 mitigation measures required must be included on grading and building plans. In addition, the contractor or builder should designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to land use clearance for map recordation and land use clearance for finish grading of the structure.

This project will involve the use of numerous pieces of heavy-duty diesel equipment. Diesel particulate matter is listed as a toxic air contaminant by the California Air Resources Board with no identified threshold level below which there are no significant effects. Therefore, the APCD is very concerned with projects that will produce large amounts of diesel exhaust near public use areas. **District staff recommends the following measures for construction equipment also be incorporated in to the project.**

- Maintain all construction equipment in proper tune according to manufacturer's specifications.
- Fuel all off-road and portable diesel powered equipment, including but not limited to bulldozers, graders, cranes, loaders, scrapers, backhoes, generator sets, compressors, auxiliary power units, with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).
- Maximize to the extent feasible, the use of diesel construction equipment meeting the ARB's 1996 or newer certification standard for off-road heavy-duty diesel engines.

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#### Naturally Occurring Asbestos

The project site is located in a candidate area for Naturally Occurring Asbestos (NOA), which has been identified as a toxic air contaminant by the California Air Resources Board (ARB). Under the ARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, **prior to any grading activities at the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the District (see Attachment 1). If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD.** Please refer to the APCD web page at <http://www.slocleanair.org/business/asbestos.asp> for more information or contact Karen Brooks of our Enforcement Division at 781-5912.

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269c.

#### Demolition Activities

Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during demolition or remodeling of existing buildings. Asbestos can also be found in utility pipes/pipelines (transite pipes or insulation on pipes). **If utility pipelines are scheduled for removal or relocation; or building(s) are removed or renovated this project may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP).** These requirements include but are not limited to: 1) notification requirements to the District, 2) asbestos survey conducted by a Certified Asbestos Inspector, and, 3) applicable removal and disposal requirements of

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1-61

Takken Tract Map (SUB2004-00389)

June 22, 2005

Page 3 of 3

identified ACM. Please contact Tim Fuhs of the Enforcement Division at 781-5912 for further information.

#### Permits

Based on the information provided, we are unsure of the types of equipment that may be present at the site. Portable equipment used during construction activities may require California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit. Operational sources, such as back up generators, may also require APCD permits. **To minimize potential delays, prior to the start of the project, please contact David Dixon of the District's Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.**

add X

#### Operational Phase Emissions

We would like to commend the applicant for proposing development within the urban reserve line. The District supports higher density development within the urban core, as opposed to development at the urban fringe. This in-fill development makes walking, bicycling and public transportation more viable, decreasing dependence on driving and therefore reducing emissions from motor vehicles. This type of project is consistent with the goals and policies of the District's Clean Air Plan.

insert in SR

District staff conducted a screening level air quality impact assessment for operational impacts from this project. Based on the information provided in the project referral, the unmitigated project will not likely exceed the District's Tier I CEQA significance threshold for operational phase emissions. Therefore, no specific mitigation measures for operational phase emissions are required.

#### Wood Burning Devices

As you may be aware, under District Rule 504, **only District approved wood burning devices can be installed in new dwelling units.** District approved devices include:

add Y

- All EPA-Certified Phase II wood burning devices;
- Catalytic wood burning devices which emit less than or equal to 4.1 grams per hour of particulate matter which are not EPA-Certified but have been verified by a nationally-recognized testing lab;
- Non-catalytic wood burning devices which emit less than or equal to 7.5 grams per hour of particulate matter which are not EPA-Certified but have been verified by a nationally-recognized testing lab;
- Pellet-fueled woodheaters; and
- Dedicated gas-fired fireplaces.

If you have any questions about approved wood burning devices, please contact Tim Fuhs of our Enforcement Division at 781-5912.

We appreciated the opportunity to review this project. If you have any questions or comments please contact me at (805) 781-4667.

MAG/sll

cc: Karen Brooks, SLOAPCD Enforcement Division  
Tim Fuhs, SLOAPCD Enforcement Division  
David Dixon, SLOAPCD Engineering Division  
Applicant: TDC, LLC

Attachment 1

1-62

**ATTACHMENT 1**

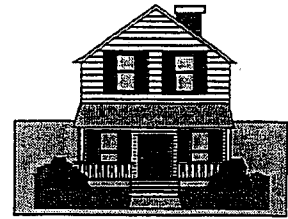
**1-63**  
Naturally Occurring Asbestos – Construction & Grading  
Project – Exemption Request Form

Send To:

Attachment 1

San Luis Obispo County Air  
Pollution Control District  
3433 Roberto Court  
San Luis Obispo, CA 93401

Fax: (805) 781-1002

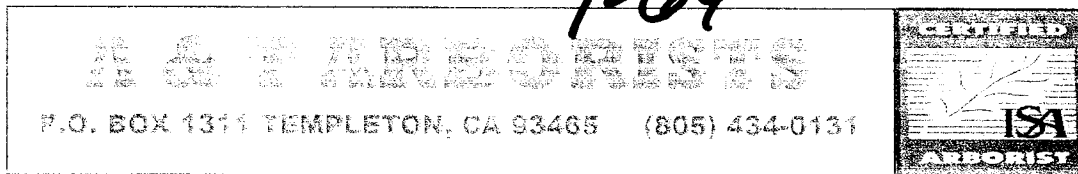


Applicant Information/ Property Owner		Project Name	
Address		Project Address and /or Assessors Parcel Number	
City, State, Zip		City, State, Zip	
Phone Number	Date Submitted	Agent	Phone Number

The District may provide an exemption from Section 93105 of the California Code of Regulations - Asbestos Airborne Toxic Control Measure For Construction, Grading, Quarrying, And Surface Mining Operations for any property that has any portion of the area to be disturbed located in a geographic ultramafic rock unit; if a registered geologist has conducted a geologic evaluation of the property and determined that no serpentine or ultramafic rock is likely to be found in the area to be disturbed. Before an exemption can be granted, the owner/operator must provide a copy of a report detailing the geologic evaluation to the District for consideration. The District will approve or deny the exemption within 90 days. An outline of the required geological evaluation is provided in the District handout "ASBESTOS AIRBORNE TOXIC CONTROL MEASURES FOR CONSTRUCTION, GRADING, QUARRYING, AND SURFACE MINING OPERATIONS – Geological Evaluation Requirements".

APPLICANT MUST SIGN BELOW	
I request the San Luis Obispo Air Pollution Control District grant this project exemption from the requirements of the ATCM based on the attached geological evaluation.	
Legal Declaration/Authorized Signature:	
Date:	

OFFICE USE ONLY - APCD Required Element – Geological Evaluation			
APCD Staff:		Intake Date:	OIS Tracking Number:
Approved	Not Approved	APCD Staff:	Date Reviewed:
Comments:			



12-13-05  
Casey O'Conner  
Avocado Ranch Development  
Monterey Pine Impacts and Mitigations Assessment

This tree protection plan is in regards to the above named lot in Oceano, California. The Monterey pine (*Pinus radiata*) trees in question are located on an adjacent lot at the south west corner of the proposed development. The purpose of this report is to provide some history of Monterey Pines, identify possible construction impacts and provide mitigation recommendations.

It is the responsibility of the **owner/contractor** to provide a copy of this tree protection plan to any and all contractors and subs that work within the drip line of any Monterey pine tree.

This project shall require an on-site pre-construction meeting with the county, owner, grading contractor and the arborists. Topics will include fencing, monitoring and requirements for a positive final occupancy letter.

Monterey pine trees are native to California and the forests occur in three distinct areas. The northernmost forest is near Ano Nuevo above of Davenport California. The middle forest is in the Monterey Peninsula Area and the southernmost native forest is in Cambria, California (1). Monterey pines are short lived. They attain full size in 80 to 100 years and rarely live beyond 150 years in its native environment. Maximum age for planted trees rarely go beyond 75 years in non-native sites.

Monterey pines are host to many pests and diseases. On the central coast of California, one of the most common is "pitch canker". Pitch canker is a disease of pine trees that is caused by the fungus (*Fusarium circinatum*). The fungus causes infections (lesions) that can encircle or girdle branches, exposed roots, and the main stems (trunks) of pine trees. The tips of girdled branches wilt as a result of obstructed water flow, causing the needles to turn yellow, and then red. The fascicles, (needle clusters) eventually fall off, leaving bare branch ends. Multiple branch infections can cause extensive dieback in the crown of the tree and may lead to tree mortality. The tree produces copious amounts of resin (pitch) in response to an infection. Flattened or slightly sunken cankers (large infection sites) on the main stem of the tree usually appear after the tree already has multiple branch infections. The fungus is not known to move within the tree; therefore, each canker or lesion is a separate and distinct infection. The flow of resin from main stem infections can coat the bark up to several feet below the infection site. Honey-colored, resin-soaked wood is also a characteristic symptom of the disease and can be observed by peeling back the bark near a lesion. Infected trees are often attacked by engraver beetles (*Ips pini*), which cause the death of additional branches, tree tops, and the entire tree (2). At this time there is no known cure.

1-65

In addition, Red turpentine beetles (*Dendroctonus valens*), play a role not only in providing a vector for the transfer of pitch canker but ultimately causing a tree's death. In many cases, pine trees will be weakened by the pitch canker fungus and readily attacked by the red turpentine beetle. Tell tale signs of a red turpentine beetle infestation are small pitch tubes that form from the frass and sap exuded from the tree after the female bores through the trunk. Common sites are usually from the root flairs to about six feet off of the ground. Each pitch tube usually represents one breeding pair of beetles that produce about 200 offspring within the gallery. The beetles eventually eat their way through the entire cambium causing the tree to essentially starve from lack of nutrients. In the early spring, the beetles fly off in search of the next readily available host. In some cases, normally healthy trees may last up to two years after the first infestation. Weak trees may only last one season.

As identified on the accompanying spreadsheet, many of the thirteen trees in this stand have visible signs of pitch canker, red turpentine beetles or are already dead.

Specific Mitigations Pertaining to the Project (All to be approved by the project engineer):

A. There is a retaining wall planned for the project at the property line. No heavy equipment is allowed for carrying building materials to the wall under the drip lines without using a prescribed path that has been layed out with chip mulch as described in mitigation #3 below. Originally, a continuous footing for the wall would have been located approximately three feet from the trees. As this activity would undoubtedly encounter substantial roots, A & T Arborists proposes one of the following:

1a.) Using an airspade (an airspade blasts away soil with compressed air), unearth the soil to the prescribed depth without damaging any of the roots. Have the engineer design spanner beams that travel at existing ground level and span from footing to footing. Each footing is placed where there are no roots and the spanner beams pass over them.

2a.) Design an "L" shaped wall that rests on the existing grade.

3a.) Other unobtrusive (not into the soil) wall designed by the engineer and approved by the arborists.

B. The fill soil on the side of the wall towards the development shall be limited to 30 inches deep (Lots #1-3 only). The bottom six inches shall consist of one inch aggregate and the top 24 inches shall consist of native top soil from the site. The purpose of the aggregate is to allow proper aeration of the roots near the existing grade. The aggregate shall extend from the wall to the over-excavation point (described below) for each building site. The fill in the back yards of lots 1-3 **shall not** be compacted similar to a house pad.

C. Use house plans similar to those for lots 21-23 for lots 1-3 and utilize the street setbacks already set up for lots 1-3. This will increase the excavation distance from the trees from five feet to the property line to approximately 20 feet. Overall distance from the trees to a building will increase from eight feet to approximately 23 feet. Over-excavation activities shall be monitored by the arborists as there is potential for some

1-66

minor root encounters. All roots larger than one inch in diameter shall be clean cut with sharp tools as described in mitigation #4 below.

D. Once the wall, fill stage and over-excavation is complete, protective fencing shall be re-installed at the edge of the pad compaction line behind the proposed homes. This will prevent unnecessary compaction to the fill.

All Monterey pine trees potentially impacted by this project are numbered and identified on both the grading plan and the spreadsheet. Trees are numbered on the grading plans and in the field with an aluminum tag. Tree protection fencing is shown on the grading plan. In the field, trees have yellow tape attached to the tag and the fence in front of the trees.

### **Tree Rating System**

A rating system of 1-10 was used for visually establishing the overall condition of each tree on the spreadsheet. The rating system is defined as follows:

<b><u>Rating</u></b>	<b><u>Condition</u></b>
0	Deceased
1	Evidence of massive past failures, extreme disease and is in severe decline.
2	May be saved with attention to class 4 pruning, insect/pest eradication and future monitoring.
3	Some past failures, some pests or structural defects that may be mitigated by class IV pruning.
4	May have had minor past failures, excessive deadwood or minor structural defects that can be mitigated with pruning.
5	Relatively healthy tree with little visual structural and or pest defects.
6	Healthy tree that probably can be left in its natural state.
7-9	Have had proper arboricultural pruning and attention or have no apparent structural defects.
10	Specimen tree with perfect shape, structure and foliage in a protected setting (i.e. park, arboretum).

The following mitigation measures/methods must be fully understood and followed by anyone working within the drip line of any native tree. Any necessary clarification will be provided by us (the arborists) upon request.

**1. Fencing:** The proposed fencing shall be shown in orange ink on the grading plan. It must be a minimum of 4' high chain link, snow or safety fence staked at the edge of the drip line or line of encroachment for each tree or group of trees. The fence shall be up before any construction or earth moving begins. The owner shall be responsible for maintaining an erect fence throughout the construction period. The arborist(s), upon notification, will inspect the fence placement once it is erected. After this time, fencing

shall not be moved without arborist inspection/approval. If the orange plastic fencing is used, a minimum of four zip ties shall be used on each stake to secure the fence. All efforts shall be made to maximize the distance from each saved tree. The fencing must be constructed prior to the county pre-construction meeting for inspection by the city and the arborists.

**2. Soil Aeration Methods:** Soils within the drip line that have been compacted by heavy equipment and/or construction activities must be returned to their original state before all work is completed. Methods include water jetting, adding organic matter, and boring small holes with an auger (18" deep, 2-3' apart with a 2-4" auger) and the application of moderate amounts of nitrogen fertilizer. The arborist(s) shall advise.

**3. Chip Mulch:** All areas within the drip line of the trees that cannot be fenced shall receive a 4-6" layer of chip mulch to retain moisture, soil structure and reduce the effects of soil compaction.

**4. Trenching Within Drip Line:** All trenching for foundations within the drip line of native trees shall be **hand dug**. All major roots shall be avoided whenever possible. All exposed roots larger than 1" in diameter shall be clean cut with sharp pruning tools and not left ragged. A **Mandatory** meeting between the arborists and grading/trenching contractor(s) shall take place prior to work start. This activity shall be monitored by the arborist(s) to insure proper root pruning is taking place.

**5. Grading Within The Drip Line:** Grading should not encroach within the drip line unless authorized. Grading should not disrupt the normal drainage pattern around the trees. Fills should not create a ponding condition and excavations should not leave the tree on a rapidly draining mound.

**6. Exposed Roots:** Any exposed roots shall be re-covered the same day they were exposed. If they cannot, they must be covered with burlap or another suitable material and wetted down 2x per day until re-buried.

**7. Paving Within The Drip Line:** Pervious surfacing is preferred within the drip line of any native tree. However, certain situations exist where pavers may not be the best mitigation. If the roadway is to be used for commercial vehicles, the over-excavation for the base sometimes exceeds twenty four inches. This excavation would remove the roots. Non-commercial use of pavers is more appropriate as the excavation is much less. However, in areas where the arborist feels the soil is shallow, paver installation will cause damage to the very roots being protected. Pavers must be interlocking with a minimum of 10% void space backfilled with pea gravel. Geo-textile fabric shall be permeable. The arborists would like to inspect the material prior to installation. Not applicable for this project.

**8. Equipment Operation:** Vehicles and all heavy equipment shall not be driven under the trees, as this will contribute to soil compaction. Also there is to be no parking of equipment or personal vehicles in these areas. All areas behind fencing are off limits unless pre-approved by the arborist.

1-68  
9. **Existing Surfaces:** The existing ground surface within the drip line of all the pine trees shall not be cut, filled, compacted or pared, unless shown on the grading plans **and** approved by the arborist.

10. **Construction Materials And Waste:** No liquid or solid construction waste shall be dumped on the ground within the drip line of any native tree. The drip line areas are not for storage of materials either.

11. **Arborist Monitoring:** An arborist shall be present for selected activities (trees identified on spreadsheet and items bulleted below). The monitoring does not necessarily have to be continuous but observational at times during these activities. It is the responsibility of the owner(s) or their designee to inform us prior to these events so we can make arrangements to be present. It is the responsibility of the owner to contract (prior to construction) a locally licensed and insured arborist that will document all monitoring activities.

- pre-construction fence placement
- any utility or drainage trenching within any drip line
- All grading and trenching near trees requiring monitoring on the spreadsheet

12. **Pre-Construction Meeting:** An on-site pre-construction meeting with the Arborist(s), Owner(s), Planning Staff, and the earth moving team shall be required for this project. Prior to final occupancy, a letter from the arborist(s) shall be required verifying the health/condition of all impacted trees and providing any recommendations for any additional mitigation. The letter shall verify that the arborist(s) were on site for all grading and/or trenching activity that encroached into the drip line of the selected native trees, and that all work done in these areas was completed to the standards set forth above.

13. **Pruning:** Class 4 pruning includes-Crown reduction pruning shall consist of reduction of tops, sides or individual limbs. A trained arborist shall perform all pruning. No pruning shall take more than 25% of the live crown of any native tree. Any trees that may need pruning for home clearance shall be pruned **prior** to any grading activities to avoid any branch tearing.

14. **Landscape:** All landscape plans shall be pre-approved by the arborists.

15. **Utility Placement:** All utilities and sewer/storm drains shall be placed down the roads/driveways and when possible outside of the drip lines. The arborist shall supervise trenching within the drip line. **All trenches in these areas shall be exposed by air spade or hand dug with utilities routed under/over the roots.** Roots greater than 2 inches in diameter shall **not** be cut.

16. **Fertilization and Cultural Practices:** As the project moves toward completion, the arborist(s) may suggest either fertilization and/or mycorrhiza applications that will benefit tree health. Mycorrhiza offers several benefits to the host plant, including faster growth, improved nutrition, greater drought resistance, and protection from pathogens.



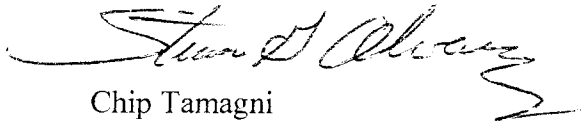
1-69

The included spreadsheet includes trees listed by number, species and multiple stems if applicable, diameter and breast height (4.5'), condition (scale from poor to excellent), status (avoided, impacted, removed, exempt), percent of drip line impacted, mitigation required (fencing, root pruning, monitoring), construction impact (trenching, grading), recommended pruning and individual tree notes.

If all the above mitigation measures are followed, we feel there will be no additional long-term significant impacts to the remaining native trees.

Please let us know if we can be of any future assistance to you for this project.

Steven G. Alvarez  
Certified Arborist #WC 0511



Chip Tamagni  
Certified Arborist #WE 6436-A



1. Griffin, James R., and William B. Critchfield. 1972. (Reprinted with supplement, 1976). The distribution of forest trees in California. USDA Forest Service, Research Paper PSW-82. Pacific Southwest Forest and Range Experiment Station, Berkeley, CA. 118 p.
2. K. Wikler, UC Cooperative Extension, Alameda Co.; T. R. Gordon, Plant Pathology, UC Davis; A. J. Storer, Insect Biology, UC Berkeley; and D. L. Wood, Forest Science, UC Berkeley

TREE PROTECTION SPREAD SHEET AVOCADO RANCH

1-20

1	2	3	4	5	6	7	8	9	10	11
TREE #	TREE SPECIES	TRUNK DBH	TREE CONDITION	CONST STATUS	DRIP-LINE % IMPACT	CONST IMPACT	MITIGATION PROPOSAL	MONT REQUIRED	PRUNING CLASS	FIELD NOTES
1	Pine	20	4	I	40%	TR, F	F, RP, M	YES	IV	suppressed, 25 deg. Lean
2	Pine	7	0							dead
3	Pine	33	2	I	40%	TR, F	F, RP, M	YES	IV	pitch canker, suppressed
4	Pine	36	2	I	40%	TR, F	F, RP, M	YES	IV	beetles, pitch canker
5	Pine	16	0							beetles
6	Pine	17	3	I	40%	TR, F	F, RP, M	YES	IV	suppressed, p. canker
7	Pine	15	2	I	40%	TR, F	F, RP, M	YES	IV	very suppressed
8	Pine	30	1	I	40%	TR, F	F, RP, M	YES	IV	beetles, pitch canker
9	Pine	10	1	I	40%	TR, F	F, RP, M	YES	IV	very suppressed
10	Pine	25	2	I	40%	TR, F	F, RP, M	YES	IV	suppressed
11	Pine	36	3	I	40%	TR, F	F, RP, M	YES	IV	
12	Pine	25	2	I	40%	TR, F	F, RP, M	YES	IV	pitch canker, co dom. @45'
13	Pine	30	2	I	40%	TR, F	F, RP, M	YES	IV	pitch canker
14										
15										
16										
17										
18										
19										
20										

1 = TREE # MOSTLY CLOCKWISE FROM DUE NORTH  
2 = TREE TYPE: COMMON NAME IE: W O = WHITE OAK  
3 = TRUNK DIAMETER @ 46"  
4 = TREE CONDITION: 1 = POOR, 10 = EXCELLENT  
5 = CONSTRUCTION STATUS: AVOIDED, IMPACTED, REMOVAL  
6 = DRIP-LINE: PERCENT OF IMPACTED DRIP-LINE  
7 = CONSTRUCTION IMPACT TYPE: GRADING, COMPACTION, TRENCHING, FILL  
8 = MITIGATION REQUIREMENTS: FENCING, MONITORING, ROOTPRUNING,  
9 = ARBORIST MONITORING REQUIRED YES/NO  
10 = PERSCRIBED PRUNING: CLASS 1-4  
11 = FIELD NOTES

12/14/2005

1-71

Tree &amp; Environmental Specialist



Robert Schreiber 170 Terra Street Morro Bay CA 93442  
Phone/Fax (805) 772-5400 CELL (805) 441-3715

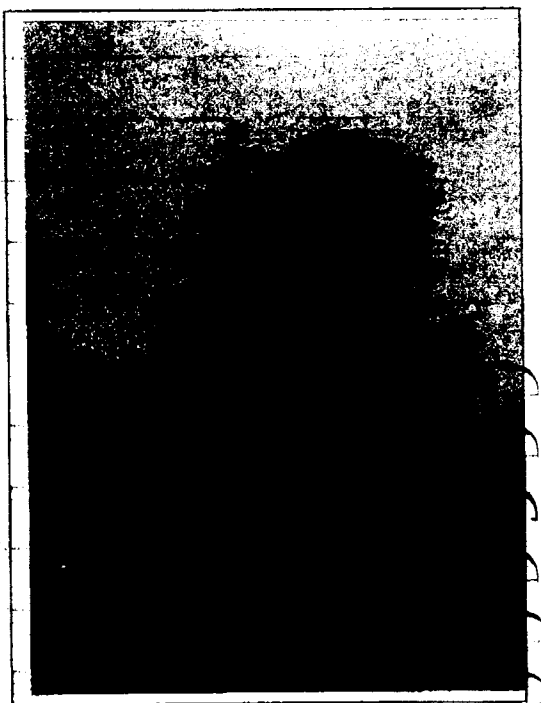
Subject: SUB2004-00389- Monterey Pine (*Pinus radiata*) Impacts

### Introduction

This report is for use by the County of San Luis Obispo to assess the potential impacts to thirteen (13) Monterey pine trees located at 2450 Darien Way in Oceano. The trees are located immediately adjacent to the southwest corner fence of the proposed Avocado Ranch Development - County project number SUB2004-00389 (2501 25<sup>th</sup> Street, APN 062-074-013/Applicant: Casey O'Connor), which involves construction of 40 residential units on two existing lots. This proposed development's neighboring property owners, Grant and Laurel Marquardt at 2450 Darien Way, requested this report. Current plans show a complete build out of the site with two proposed single family residences (Lots 1 and 2), which in my professional opinion, would infringe upon and ultimately destroy the root structure of thirteen (13) mature Monterey pine (*Pinus radiata*) trees.

Proposed construction would both compact the soil and cause root injury, which could result in the death of these trees. It could also drastically weaken the tree's stability on one side and subsequently subject them to potentially fall onto the residence at 2450 Darien Way and/or the proposed future residences, jeopardizing both property improvements and occupants/owners, unnecessarily exposing the County, the Developer and/or other involved parties to possible liability.

The developer previously made a suggestion to the property owners that they could choose to have these Monterey pines removed and have them replaced with 18-foot redwood trees (or another type of tree of their choice). Removing these trees would not only negatively affect the population of our County's Monterey pine forests, but



1-72

would dramatically affect both the appraised and aesthetic value of the 2450 Darien Way property, as well as that of adjacent properties, including the proposed development itself. For these reasons, these property owners indicated they are not in favor of this option.

### ***Analysis***

The Monterey pine forest ecosystem is considered Rare and Endangered (List 1B) by the California Native Plant Society and is important in this county for its aesthetic, intrinsic and ecological values. Although the stand of trees in question is relatively small, these mature trees are range in height from 37 to 101 feet in height and represent an important part of California floral history.

The proposed planned unit development offers an opportunity to preserve this mature vegetation without jeopardizing the intent of the project. Revising the project by eliminating the two residences on Lot 1 and Lot 2, and vegetating if necessary with compatible native plants would provide an alternative open space for neighbors and residents to enjoy one of the few remaining examples of healthy Monterey pine in the County. It would also undoubtedly enhance the value of and attraction to the proposed Avocado Ranch Development.

Although some trees show minor signs of pitch canker, it is the recommendation of this Certified Arborist to revise project plans to modify or eliminate two of the forty proposed lots (Lots 1 and 2) and preserve twelve of the thirteen trees. One tree is dead due to crowding from other trees causing lack of sun and should be removed for safety reasons and to preserve the root health of the remaining trees. Beetles are present in two of the trees but are not endangering the health of these trees.

The following table shows the size and condition of Monterey pines located on 2450 Darien Way, just to the west of proposed Lot 1 and 2 on 2501 25<sup>th</sup> Street, whose improvements according to the "Conceptual Landscape Plan," are to be built two stories high and a dangerously short distance to the Monterey pine trees. Proposed improvements are as close as five (5) feet from the property line and approximately seven (7) feet from the base of the trees.

1-13

**Table 1**  
**Tree Statistics**

#	Common Name	Scientific Name	Location	Condition	Diameter in Inches at 4.5 feet	Estimated Height in Feet
1	Monterey Pine	<i>Pinus radiata</i>	SW corner- at property line	Healthy	26.5"	80'
2	Monterey Pine	<i>Pinus radiata</i>	SW corner	3 dead tips, otherwise Healthy	32"	101'
3	Monterey Pine	<i>Pinus radiata</i>	SW corner	Healthy	32"	95'
4	Monterey Pine	<i>Pinus radiata</i>	SW corner	Healthy	28.5"	97'
5	Monterey Pine	<i>Pinus radiata</i>	SW corner	Healthy	11.5"	57'
6	Monterey Pine	<i>Pinus radiata</i>	SW corner	3 dead tips, otherwise Healthy	30.5"	101'
7	Monterey Pine	<i>Pinus radiata</i>	SW corner	Healthy	14"	77'
8	Monterey Pine	<i>Pinus radiata</i>	SW corner	Healthy	17.5"	93'
9	Monterey Pine	<i>Pinus radiata</i>	SW corner	Dead	18"	72'
10	Monterey Pine	<i>Pinus radiata</i>	SW corner	Healthy	31.5"	91'
11	Monterey Pine	<i>Pinus radiata</i>	SW corner	Healthy (co-dominant leaders at 4')	30"	71'
12	Monterey Pine	<i>Pinus radiata</i>	SW corner	Healthy	7.5	37'
13	Monterey Pine	<i>Pinus radiata</i>	SW corner- at property line	Healthy- Good Color	19	41'

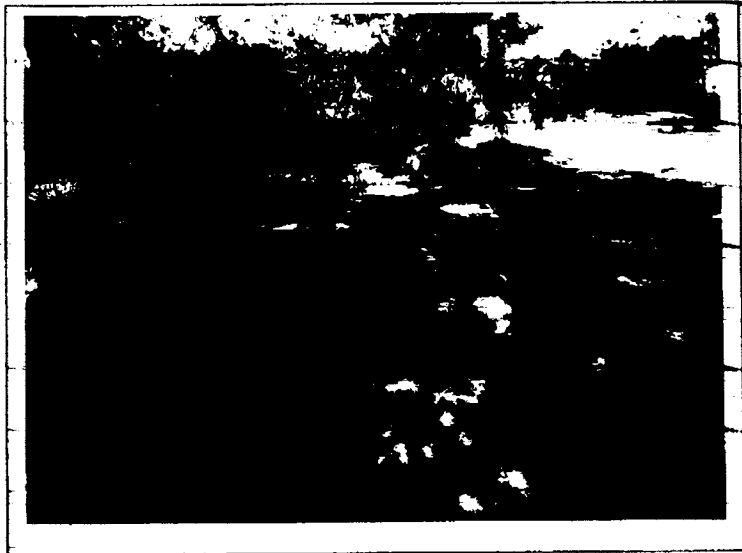
1-74

**Recommendations**

Site investigations proved that clearing activities have begun, as evidenced by the photo below showing tree duff pushed up underneath the dripline of a Monterey pine.

In order to preserve the health of these trees the following measures are recommended:

- ✓ Lots 1, 2 and 3 would require revision to eliminate disturbance within the drip line of the sensitive vegetation, as evidenced by the attached proposed revised site plan.
- ✓ Lots 1 and 2 would require removal as residential units.
- ✓ Lot 3 would have to allow preservation of existing vegetation in the backyard open space area of the residence.
- ✓ Construction activities should not occur closer than twenty (20) feet from the base of the trees to ensure minimal impacts occur.
- ✓ Tree protection fencing should be placed at 20 feet from the base of the trees.
- ✓ Current plans show a block wall fence located at the property line within the tree protection fencing area. This is not recommended, as it would be severely detrimental to the root structure of the trees. Plans should be revised to require post hole fencing only, to be located at least 20 feet from the base of trees.

*Robert F. Schreiber*

Robert F. Schreiber  
ISA Certified Arborist  
#FL0314A

Attachments: Revised Site Plan Graphic  
Terms and Conditions

## DESCRIPTION:

CONCEPTUAL LANDSCAPE PLAN

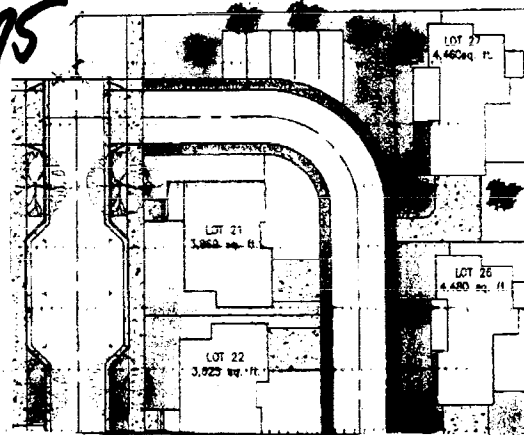
1-75

## PROJECT:

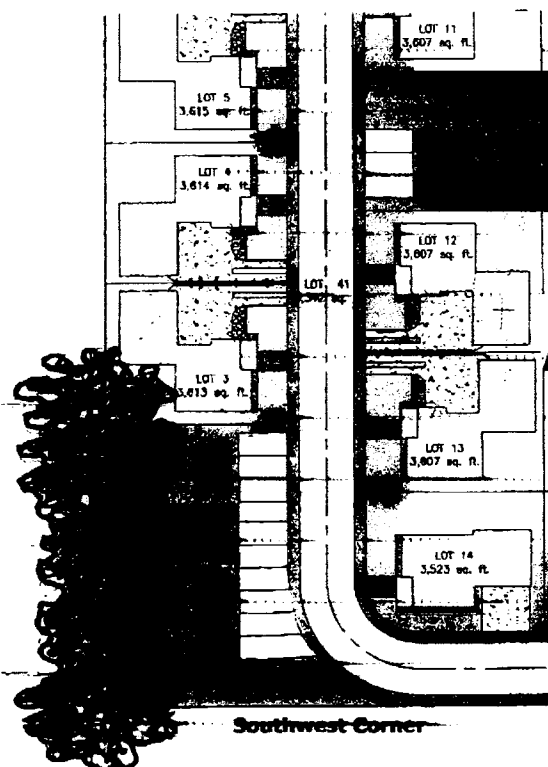
AVOCADO RANCH

RESIDENTIAL DEVELOPMENT  
OCEANO, CALIFORNIA

## TAKKEN DEVELOPMENT COMPANY

668 MARSH STREET  
SAN LUIS OBISPO, CA 93401  
TEL: 805.544.3570

Northeast Corner



Southwest Corner

09/05: Proposed revision of Southwest corner on conceptual landscape plan to complement Northeast corner and address the following two stated needs:

- 1) adequate guest parking (add 10 spaces)
- 2) allow required protective space for 20' to 30' drip line under corresponding branch spread on all sides of 100' tall Monterey Pines

DATE: 18 JULY 2005

DRAWN BY: NJE

CHECKED BY: KTD

JOB NO: 2004-50

SHEET:

1

09/02/05  
Paso Robles Street view  
showing drip line/branch  
width of Monterey Pine  
trees along Southwest  
Corner of avocado  
orchard

0 15 30 60

SCALE: 1"=30'-0"

1-76

**TERMS OF ASSIGNMENT**

The following terms and conditions apply to all oral and written reports and correspondence pertaining to the consultations inspections and activities of Arbor First:

1. All property lines and ownership of property, trees, and landscape plants and fixtures are assumed to be accurate and reliable as presented and described to the consultant, either verbally or in writing. The consultant assumes no responsibility for verification of ownership or locations of property lines, or for results of any actions or recommendations based on inaccurate information.
2. It is assumed that any property referred to in any report or in conjunction with any services performed by Arbor First, is not in violation of any applicable codes, ordinances, statutes, or other governmental regulations, and that any titles and ownership to any property are assumed to be good and marketable. Any existing liens and encumbrances have been disregarded, and any and all property is appraised and/or assessed as though free and clear, under responsible ownership and competent management.
3. All reports and other correspondence are confidential and are the property of Arbor First and its named clients and their assigns or agents. Possession of this report or a copy thereof does not imply any right of publication or use for any purpose, without the express permission of the consultant and the client to whom the report was issued. Loss, removal or alteration of any part of a report invalidates the entire appraisal/evaluation.
4. The scope of any report or other correspondence is limited to the trees and conditions specifically mentioned in those reports and correspondence. Arbor First and the consultant assume no liability for the failure of trees or parts of trees, either inspected or otherwise. The consultant assumes no responsibility to report on the condition of any tree or landscape feature not specifically requested by the named client.
5. All inspections are limited to visual examination of accessible parts, without dissection, excavation, probing boring or other invasive procedures, unless otherwise noted in the report, and reflect the condition of those items and features at the time of inspection. No warrantee or guarantee is made, expressed or implied, that problems or deficiencies of the plants or the property will not occur in the future, from any cause. The consultant shall not be responsible for damages caused by any tree defects, and assumes no responsibility for the correction of defects or tree related problems.
6. The consultant shall not be required to provide further documentation give testimony, be deposed, or to attend court by reason of this appraisal/report unless subsequent contractual arrangements are made, including payment of additional fees for such services as described by the consultant or in the fee schedules or contract.
7. Arbor First makes no warrantee, either expressed or implied, as to the suitability of the information contained in any reports or correspondence, ~~either written or verbal, for any particular purpose.~~ It remains the responsibility of the client to determine applicability to his/her particular case.
8. Any report and the values, observations, and recommendations expressed therein represent the professional opinion of the consultant and the fee for services is in no manner contingent upon the reporting of a specified value nor upon any particular finding to be reported.
9. Any photographs, diagrams, graphs, sketches, or other graphic material included in any report, being intended solely as visual aids, are not necessarily to scale and should not be construed as engineering reports or surveys, unless otherwise noted in the report. Any reproductions of graphic material or the work product of any other persons is intended solely for the purpose of clarification and ease of reference. Inclusion of said information does not constitute a representation by Arbor First or the consultant as to the sufficiency or accuracy of that information.
10. Payment terms are net payable upon receipt of invoice. All balances due beyond 30 days of invoice date will be charged a service fee of 1.5 percent per month (18% APR). All checks returned for insufficient funds or any other reason will be subject to a \$30.00 service fee. Advance payment of fees may be required in some cases.



1-17

Department of Planning and Building  
County Government Center  
San Luis Obispo, Ca 93408

Attn: San Luis Obispo Planning Commission,

I am writing this letter on behalf of my neighbors and I to voice our concerns over the new project that has been submitted for construction, County File # SUB2004-00389/TRACT2758. After careful review of the plans for the new 46 units that Takken Construction wishes to put up we have come up with the following concerns.

First and foremost the plans state that they are for units that are aesthetic to the surrounding area and conducive to homes already established. If you take a look at exhibit A, B, and C you will find that this is not the case. The homes in the surrounding area are predominantly single story homes with roughly 20 feet separating each unit, and the smallest lot being 6000 sq ft. The proposed project is not homogenous with the style of the already established homes and in fact look to be more like free standing townhouses on half the square footage than the sprawling homes we have adjacent to the site. The structures that Takken construction wishes to build will be two story homes with 8 to 10 feet between each structure and are viewed as a detriment to what we bought into. These two story homes will also take away from our privacy and our open air space which we have become accustomed and very fond of. These new dwellings should be uniform with the style and architect of existing homes so as to keep the aesthetics of our blocks in check.

In the report made by the County of San Luis Obispo, there are concerns regarding soil erosion, topographic changes, or unstable soil conditions from project-related improvements. The change from 6.5 acres of open irrigated ground to 46 cluster home units with little or no space between them will be a significant impact on historic flows. The added amount of homes per square feet will apply more pressure to the already delicately balanced infrastructure of our street and raise the probability of flooding.

1-78

The additional homes will also create more traffic. The average home has two-three vehicles, adding a surplus of 100 to 150 more cars trying to come down our narrow street. We feel it is not necessary to open up 25<sup>th</sup> street all the way through to Wilmar Street. When we bought our homes we bought into the ideal of a cul-de-sac type street by way of a dead end street. The appeal was foremost in our decision to buy on this street. Prior to buying the land at the end of our 25<sup>th</sup> St, Takken construction was well prepared to build without the access of our street to Wilmar by way of our dead end. Upon further review of the plans, there are two streets that lead to Elm street right near the proximity of where our street dead ends. These streets are more than adequate to allow for flow of traffic from the new structures out onto the main roads. In the presence of a family oriented community within a community, a thruway would allow for the increase of traffic and speed down our restricted streets. If you open up the dead end street to through traffic you will be creating unsafe conditions on public roadways that already have limited access and design flaws. If you look at exhibit D and E you will see that the 440 new trips per day will cause extremely unsafe conditions. We also feel that it will also cause a shortage in parking space. Our space is limited as it is and the proposed project of cluster homes does not show any relief to the already ongoing problem. In fact the design shows that the project will instead add to the already overpopulated streets of 25<sup>th</sup> St and Wilmar. If you look towards 24<sup>th</sup> street (please see exhibit F) you will see that you have already established a precedent by keeping the street closed and would be discriminating against us by not allowing us to do the same.

Our families have grown close over the years and are very aware of each others children. This allows our children, two legged and four-legged to roam safely into each others yards across our streets to play together. (Please see exhibit G) Your report states that opening the street would make it safer because it would allow people quicker access to other streets, encouraging them to walk or ride their bikes. We feel the opposite would be true. If you keep the street closed bicyclists and pedestrians would still have access but would not have to concern themselves with traffic. Your average bicyclist or pedestrian would prefer to walk on an isolated street rather than one overcrowded and overburdened with 440 new trips per day. I don't believe the average person cares if the trip to their destination is shorter or not. They are going to drive regardless.

1-19

In closing I hope I have accomplished in setting in motion very legitimate concerns and shown the possible catastrophe's waiting should these concerns not be met with attention. Thank you for your time in reading this.

Sincerely,

Emma A. Valdivieso

1-80



Ex. 'A'

1-81



Ex. 'B'

1-82



Ex. 'C'

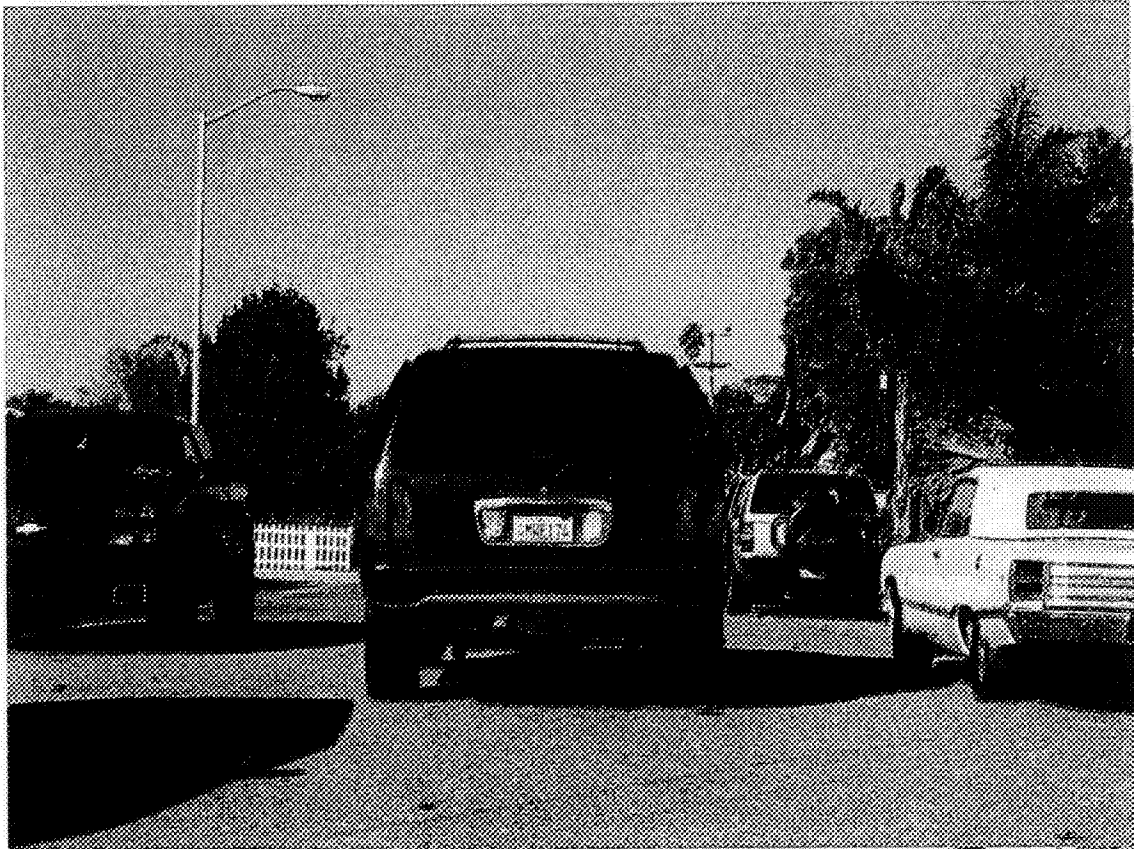


1-83



Ex 'D' Wilmar St.

1-84



Ex. 'E' 25th St.



1-85



Ex. 'F' 24th St.

1-86



Ex. 'G'

1-87



**COUNTY OF SAN LUIS OBISPO**  
**MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION**

FOR OFFICIAL USE ONLY (ML)

**ENVIRONMENTAL DETERMINATION NO. ED05-130****DATE: December 15, 2005****PROJECT/ENTITLEMENT:** Takken Tract Map and Conditional Use Permit SUB2004-00389**APPLICANT NAME:** TDC**ADDRESS:** 668 Marsh St, San Luis Obispo, CA 93401**CONTACT PERSON:** Casey O Connor**Telephone:** 805-440-8040

**PROPOSED USES/INTENT:** Request by Takken Development Company for a 1) planned development, 2) subdivision of four existing parcels totaling approximately 6.5 acres into a 46 parce consisting of approximately 3,800 square feet each for the purpose of sale and/or development, and 3) allow for grading and construction of 46 residential two-story residences ranging from approximately 1,850 to 2,069 square feet, two parks of approximately 7,000 square feet each, one park of approximately 2,000 square feet, creation of three on-site roads, and off-site road improvements to 25th Street, which will result in the disturbance of the entire parcel (and approximately 18,000 cubic yards of cut and 11,000 cubic yards of fill).

**LOCATION:** The proposed project is within the Residential Single Family land use category and is located on both sides of 25 th St., approximately 200 feet north of Paso Robles Street in the community of Oceano. The site is in the San Luis Bay Inland planning area.

**LEAD AGENCY:** County of San Luis Obispo Department of Planning & Building  
 County Government Center, Rm. 310  
 San Luis Obispo, CA 93408-2040

**OTHER POTENTIAL PERMITTING AGENCIES:** Air Pollution Control District

**ADDITIONAL INFORMATION:** Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

**COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT ..... 5 p.m. on December 29, 2005****20-DAY PUBLIC REVIEW PERIOD begins at the time of public notification****Notice of Determination****State Clearinghouse No.** \_\_\_\_\_

This is to advise that the San Luis Obispo County \_\_\_\_\_ as ☐ *Lead Agency*  
☐ *Responsible Agency* approved/denied the above described project on \_\_\_\_\_, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,  
 County Government Center, Room 310, San Luis Obispo, CA 93408-2040

	11/4/06	County of San Luis Obispo
<b>Signature</b>	<b>Project Manager Name</b>	<b>Date</b>
		<b>Public Agency</b>

1-88

**CALIFORNIA DEPARTMENT OF FISH AND GAME  
CERTIFICATE OF FEE EXEMPTION**

**De Minimis Impact Finding**

**PROJECT TITLE & NUMBER:** Takken Tract Map and Conditional Use Permit SUB2004-00389

**Project Applicant**

**Name:** Takken Development Company  
**Address:** 668 Marsh Street  
**City, State, Zip Code:** SLO, CA 93401  
**Telephone #:** 805 544-3570

**PROJECT DESCRIPTION/LOCATION:** See attached Notice of Determination

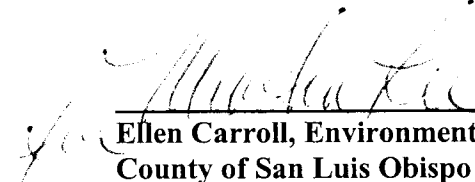
**FINDINGS OF EXEMPTION:**

There is no evidence before this agency that the proposed project has the potential for adverse effect on wildlife resources for one or more of the following reason(s):

- (X) The project is located in an urbanized area that does not contain substantial fish or wildlife resources or their habitat.
- ( ) The project is located in a highly disturbed area that does not contain substantial fish or wildlife resources or their habitat.
- ( ) The project is of a limited size and scope and is not located in close proximity to significant wildlife habitat.
- ( ) The applicable filing fees have/will be collected at the time of issuance of other County approvals for this project. Reference Document Name and No. \_\_\_\_\_
- ( ) Other: \_\_\_\_\_

**CERTIFICATION:**

I hereby certify that the lead agency has made the above findings of fact and that, based upon the initial study and the hearing record, the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

  
\_\_\_\_\_  
Ellen Carroll, Environmental Coordinator  
County of San Luis Obispo

Date: 12/6/05

1-89



**COUNTY OF SAN LUIS OBISPO  
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST**

**Project Title & No.** Takken Tract Map and Conditional Use Permit SUB2004-00389  
ED 05-130

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:** The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

<input checked="" type="checkbox"/> Aesthetics	<input type="checkbox"/> Geology and Soils	<input type="checkbox"/> Recreation
<input checked="" type="checkbox"/> Agricultural Resources	<input type="checkbox"/> Hazards/Hazardous Materials	<input checked="" type="checkbox"/> Transportation/Circulation
<input checked="" type="checkbox"/> Air Quality	<input type="checkbox"/> Noise	<input type="checkbox"/> Wastewater
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Water
<input checked="" type="checkbox"/> Cultural Resources	<input type="checkbox"/> Public Services/Utilities	<input type="checkbox"/> Land Use

**DETERMINATION:** (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Keith Miller, Morro Group, Inc.

Prepared by (Print)

Signature

Date

Jeff Oliveira  
Reviewed by (Print)

Signature

Ellen Carroll,  
Environmental Coordinator  
(for)

Date

**Project Environmental Analysis**

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

**A. PROJECT**

**DESCRIPTION:** Request by Takken Development Company for a Vesting Tract Map and Conditional Use Permit to subdivide four existing parcels totaling approximately 6.5 acres into a 46 unit Planned Unit Development including: creation of 46 parcels of approximately 3,800 square feet each for the purpose of sale and/or development, construction of 46 two-story approximately 1850 sq.ft. to 2069 sq.ft detached residential units, construction of two parks of approximately 7,000 square feet each, construction of one park of approximately 2,000 square feet, creation of three on-site roads, and off-site road improvements to 25th Street. The project will result in the disturbance of approximately 6.5 acres of a 6.5 acre parcel, and involve approximately 18,000 cubic yards of cut and 11,000 cubic yards of fill. The proposed road names have not been provided. The proposed project is within the Residential Single Family land use category and is located on both sides of 25 th St., approximately 200 feet north of Paso Robles Street in the community of Oceano. The site is in the San Luis Bay Inland planning area.

ASSESSOR PARCEL NUMBER(S): 062-074-013, 062-073-005, 062-073-006, 062-073-015      SUPERVISORIAL DISTRICT # 4

**B. EXISTING SETTING**

PLANNING AREA: San Luis Bay (Inland), Oceano

LAND USE CATEGORY: Residential Single Family

COMBINING DESIGNATION(S): Airport Review

EXISTING USES: Residence , agricultural uses

TOPOGRAPHY: Moderately sloping

VEGETATION: Grasses , ruderal Orchard

PARCEL SIZE: 6.5 acres total

1-91

## SURROUNDING LAND USE CATEGORIES AND USES:

<i>North:</i> Residential Single Family; residential	<i>East:</i> Residential Single Family; residential
<i>South:</i> Residential Single Family; residential	<i>West:</i> Residential Single Family; residential

**C. ENVIRONMENTAL ANALYSIS**

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

**COUNTY OF SAN LUIS OBISPO  
INITIAL STUDY CHECKLIST**

1.	<b>AESTHETICS - Will the project:</b>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	<b>Create an aesthetically incompatible site open to public view?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	<b>Introduce a use within a scenic view open to public view?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	<b>Change the visual character of an area?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d)	<b>Create glare or night lighting, which may affect surrounding areas?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	<b>Impact unique geological or physical features?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	<b>Other:</b> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project site is currently developed with two residences and an avocado orchard. The orchard has been in decline for some time and is currently not economically viable. The surrounding neighborhood is an eclectic mix of smaller, older homes, and newer residences. Homes in the area are both one and two story and of various architectural styles. A row of 13 mature Monterey Pines, ranging in height from 37 to 101 feet, line the boundary between the project site and the adjacent parcel to the west. A working farm exists approximately one-quarter mile to the east of the project site. The proposed project will include 46 new single family residences. Garages will be set back from the road, and all of the homes will include front porches. New streets will include sidewalks and landscaping, including street trees. Home colors will be a mix of tans, sage green, sky blue.

**Impact.** The proposed project is consistent with the style of development in the area, and includes removal of the existing orchard and improvements such as park space and significant landscaping which may improve the visual appearance of the area. The row of Monterey pines is a visual amenity in area and contributes to the character of the area. An arborists report (Arbor First, 2005), submitted by the neighboring property owner, suggests that construction of the residences and a proposed wall separating the properties may impact the pine trees, and recommended removing two of the residences from the plan and replanting native vegetation in their place.

**Mitigation/Conclusion.** Because the project may impact the Monterey pine trees that help form the

1-97

visual character of the area, the applicant will be required to minimize potential impacts to the root zone of the trees. Specifically, construction drawings shall demonstrate how construction techniques and the design of the foundations and walls in the area of the Monterey pines will minimize impacts to the tree root zone to the maximum extent feasible. In addition, an arborist shall be onsite during construction in that area, so that the techniques/methods described in the construction plans are implemented. No additional measures beyond what are already required by ordinance (lighting, landscaping) are necessary.

## 2. AGRICULTURAL RESOURCES

- Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <b>Convert prime agricultural land to non-agricultural use?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <b>Impair agricultural use of other property or result in conversion to other uses?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <b>Conflict with existing zoning or Williamson Act program?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <b>Other:</b> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The soil types include: Oceano sand, (0 - 9 % slope). As described in the Natural Resource Conservation Service Soil Survey, the "non-irrigated" soil class is "VI", and the "irrigated" soil class is "IV". The site was once an avocado orchard, but it is currently in decline. Adjacent properties on all sides of the project are currently developed with single-family residences.

**Impact.** The Ag Commissioner's office reviewed the project and found that conversion of the avocado orchard would result in insignificant impacts to agricultural resources, because it has not been a viable agricultural operation for a many years. There is however another operation to the east of the project site. It is currently producing row crops and flowers, and is under Williamson Act contract.

**Mitigation/Conclusion.** The Ag Commissioner's office is recommending that the applicant provide supplemental information to all future property owners that potential intensive agricultural operations exist on nearby properties.

## 3. AIR QUALITY - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <b>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <b>Expose any sensitive receptor to substantial air pollutant concentrations?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



3. AIR QUALITY - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The Air Pollution Control District (APCD) has developed the CEQA Air Quality Handbook to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD).

**Impact.** As proposed, the project will result in the disturbance of approximately 6.5 acres and include demolition of existing homes. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. The Air Pollution Control District reviewed the project and found it consistent with the goals and policies of the Clean Air Plan. In addition District staff concluded that the project would not exceed thresholds for operational phase emissions. Demolition of the existing homes could result in exposure to asbestos and other hazardous materials.

**Mitigation/Conclusion.** The District has recommended dust control measures that should be incorporated into the project to minimize dust generation. In addition, because of the demolition activities, the applicant will be required to comply with National Emission Standards for Hazardous Air Pollutants (40CFR61 – Subpart M).

4. BIOLOGICAL RESOURCES - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a loss of unique or special status species or their habitats?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Introduce barriers to movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The following habitats were observed on the proposed project: Grasses, ornamental landscaping, ruderal, agriculture. Based on the latest California Diversity database and other biological references, the following species or sensitive habitats were identified:

1-94

Plants: San Luis Obispo (curly-leaved) monardella (*Monardella frutescens*) List 1B app. 0.2 miles southwest of the property; Hoovers bentgrass (*Agrostis hooveri*) List 1B app. 0.9 miles northeast of the property

Wildlife: Monarch butterfly (*Danaus plexippus*) app. 0.2 miles east, 0.3 miles east, 0.3 miles northeast, and 0.4 miles northeast of the property; South/Central Coast Steelhead Trout (*Oncorhynchus mykiss*) FT app. 0.4 miles south of the property; California red-legged frog (*Rana aurora draytonii*) FT app. 0.45 miles southwest of the property

KEY: FE-Federally Endangered; PFE-Proposed Listing-Federally Endangered; FT-Federally Threatened; PFT-Proposed listing-Federally Threatened; FC-Federal Candidate; FSC-Federal Species of Concern (no longer used); FD - Federally delisted SE-State Endangered; SCE-State Endangered Candidate for listing; ST-State Threatened; SCT-State Threatened Candidate for listing; SR-State Rare; CSC- CA Special Concern Species; FP-CDFG Fully Protected; List 1A-CNPS Presumed extinct in CA; List 1B-CNPS Rare or Endangered in CA & elsewhere; List 2-CNPS Rare or Endangered in CA, but common elsewhere; List 3-CNPS Plants needing more info (Review List); List 4-CNPS Plants of limited distribution (Watch List).

Habitats: Santa Barbara Vernal Pool Region

**Impact.** The project site has been significantly disturbed through existing residential and agricultural use of the property. Much of the site is covered with an avocado orchard and/or agricultural accessory structures/sheds. In addition, two houses exist on the parcels. Morro Group staff visited the property on October 25, 2005. No evidence of native vegetation was noted on the property. The site is moderately sloping and therefore would not support vernal pools. The project site does not support any native vegetation, significant wildlife habitats, or special status species.

**Mitigation/Conclusion.** No significant biological impacts are expected to occur, and no mitigation measures are necessary.

5. CULTURAL RESOURCES - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Disturb pre-historic resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Disturb historic resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Disturb paleontological resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project is located in an area historically occupied by the Obispeno Chumash. The "Avocado Ranch" has existed for over one hundred years. There are a number of existing structures, including an older residence and agricultural accessory buildings. Accumulations of shell and burned trash was evident during a field inspection by Morro Group staff.

1-95

**Impact.** The project is located in an area that would be considered culturally sensitive because of its proximity to other cultural resources and because it represents a local topographic high point. A Phase I (surface) survey was conducted (Singer, 2005). Evidence of prehistoric materials was noted on the property. It was determined that the property falls within the estimated boundary of a previously mapped archaeological site. Therefore a Phase II (subsurface) survey was completed. The survey resulted in the discovery of numerous stone artifacts, one shell artifact, and four burned cobbles. No bone was discovered. The archaeologist concluded that this portion of the site had been substantially disturbed in the past during construction activities and agricultural operations.

A Historic Resources Evaluation was also performed by a qualified consultant (Greenwood, 2005). The consultant concluded that the structures on the property were older, but not considered historically significant or eligible for California Register.

**Mitigation/Conclusion.** Based on the most recent report completed, the project will not disturb known significant cultural resources. However, because the project site lies within the boundary of a previously mapped, significant archaeological site, and because of the substantial amount of excavating that will be necessary during construction of tract improvements, the potential to disturb undetected cultural resources remains high. Therefore archaeological monitoring will be required.

6. <b>GEOLOGY AND SOILS -</b> <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a California Geological Survey "Alquist-Priolo Earthquake Fault Zone"?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**6. GEOLOGY AND SOILS -**  
***Will the project:***

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
h) <b><i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i></b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) <b><i>Preclude the future extraction of valuable mineral resources?</i></b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) <b><i>Other:</i></b> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** GEOLOGY - The topography of the project is moderately sloping. The area proposed for development is outside of the Geologic Study Area designation. The landslide risk potential is considered low. The liquefaction potential during a ground-shaking event is considered moderate.

No active faulting is known to exist on or near the subject property. The project is not within a known area containing serpentine or ultramafic rock or soils.

**DRAINAGE** – The area proposed for development is outside the 100-year Flood Hazard designation. The closest creek (Arroyo Grande Creek) from the proposed development is approximately 0.4 miles to the south. As described in the Natural Resource Conservation Service Soil Survey, the soil is considered well drained. For areas where drainage is identified as a potential issue, the LUO (Sec. 22.52.080) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows.

**SEDIMENTATION AND EROSION** – The soil types include: Oceano sand, (0 - 9 % slope). As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility and low shrink-swell characteristics.

When highly erosive conditions exist, a sedimentation and erosion control plan is required (LUO Sec. 22.52.090) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension that monitors this program.

**Impact.** As proposed, the project will result in the disturbance of approximately 6.5 acres and involve substantial cut and fill. Because of the change in drainage patterns onsite, the Department of Public Works will require onsite, underground detention basins. These can be located beneath parks or streets and are not visible to the public. The area of disturbance exceeds one acre, and therefore a SWPPP will be required.

**Mitigation/Conclusion.** The preparation and implementation of a SWPPP and drainage plan will adequately mitigate the potential drainage and erosion impacts. There is no evidence that measures above what will already be required by ordinance or codes are needed.

1-97

**7. HAZARDS & HAZARDOUS MATERIALS - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Interfere with an emergency response or evacuation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to safety risk associated with airport flight pattern?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Increase fire hazard risk or expose people or structures to high fire hazard conditions?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Create any other health hazard or potential hazard?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project is not located in an area of known hazardous material contamination. The project is not within a high severity risk area for fire. The project is within the Airport Review area. The project involves demolition of older residences.

**Impact.** The project does not propose the use of hazardous materials. The project does not present a significant fire safety risk. The project is not expected to conflict with any regional evacuation plan. The vast majority of the project is located outside of the Airport Review area, therefore a referral to the ALUC is not warranted (Robeson referral). Demolition of existing residences could result in the release of hazardous construction materials.

**Mitigation/Conclusion.** Connection of the north and south ends of 25<sup>th</sup> Street may improve access by emergency responder access. See *Air Quality* section for mitigation related to asbestos impacts.

1-98

8. NOISE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Expose people to noise levels that exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate increases in the ambient noise levels for adjoining areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project is not within close proximity of loud noise sources, and will not conflict with any sensitive noise receptors (e.g., residences). Based on the Noise Element's projected future noise generation from known stationary and vehicle-generated noise sources, the project is within an acceptable threshold area.

**Impact.** The project is not expected to generate loud noises long-term, nor conflict with the surrounding uses. There will be short-term impacts due to construction activities onsite.

**Mitigation/Conclusion.** No significant noise impacts are anticipated, and no mitigation measures beyond those required by ordinance, limiting allowable construction times, are necessary.

9. POPULATION/HOUSING - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Use substantial amount of fuel or energy?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

1-99

**Setting.** In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county.

Title 18 of the County Code (Public Facilities Fees) requires that an affordable housing mitigation fee be imposed as a condition of approval of any new residential development project.

**Impact.** The project will not result in a need for a significant amount of new housing, and will only result in the removal of 2 existing housing units. The project will result in 46 new housing units (net increase of 44 units).

**Mitigation/Conclusion.** No significant population and housing impacts are anticipated, and no mitigation measures are necessary. The project is located within an urban reserve line, and provides connectivity in an area where dead-end streets currently exist. This could result in increased pedestrian and bicycle viability and shorter trip distances. This could decrease local (neighborhood) energy use.

Prior to map recordation, the applicant will pay an affordable housing mitigation fee of 3.5 percent of the adopted Public Facility Fee. This fee will not apply to any county-recognized affordable housing included within the project.

10. PUBLIC SERVICES/UTILITIES - <i>Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Fire protection?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Police protection (e.g., Sheriff, CHP)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Schools?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Roads?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Solid Wastes?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other public facilities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project area is served by the Oceano Fire District and they are the primary emergency responders. The closest Sheriff substation is in Oceano, which is approximately 1.5 miles from the proposed project. The project is located in the Lucia Mar Unified School District.

1-100

**Impact.** No significant project-specific impacts to utilities or public services were identified. This project, along with others in the area, will have a cumulative effect on police and fire protection, and schools. The project's direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place.

**Mitigation/Conclusion.** Regarding cumulative effects, public facility (county) and school (State Government Code 65995 et seq) fee programs have been adopted to address this impact, and will reduce the cumulative impacts to less than significant levels.

11. RECREATION - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase the use or demand for parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Affect the access to trails, parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The County Trails Plan does not show that a potential trail goes through the proposed project. The project is not proposed in a location that will affect any trail, park or other recreational resource. The proposed development includes two, approximately 7,000 square foot parks and one park of 2,000 square feet.

Prior to map recordation, county ordinance requires the payment of a fee (Quimby) for the improvement or development of neighborhood or community parks.

**Impact.** The proposed project will contribute to the overall need for additional park or recreational resources.

**Mitigation/Conclusion.** The "Quimby" fee along with the development of three small on-site park facilities will adequately mitigate the project's impact on recreational facilities. No significant recreation impacts are anticipated, and no mitigation measures are necessary.

12. TRANSPORTATION/ CIRCULATION - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Levels of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



1-101

**12. TRANSPORTATION/  
CIRCULATION - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
e) <i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** Future development will access onto the following public road(s): 25<sup>th</sup> Street, Basin Street. The identified roadway is operating at acceptable levels. Referrals were sent to Public Works.

**Impact.** The proposed project is estimated to generate about 440 new trips per day, based on the Institute of Traffic Engineer's manual of 10/unit (460 new trips minus 20 trips from existing house to be demolished). This amount of additional traffic could result in significant change to the existing road service or traffic safety levels given the current road configuration. However, it is anticipated that the proposed project may improve neighborhood connectivity because it will result in connecting the north and south ends of 25<sup>th</sup> Street. It will also connect the southern half of 25<sup>th</sup> Street to Basin Street.

**Mitigation/Conclusion.** The Department of Public Works will require the project to comply with typical tract improvements, including onsite and offsite road improvements to Basin Street, 25<sup>th</sup> Street, and Elm Street, sidewalks and onsite drainage improvements. These improvements will mitigate the project impacts to a level of insignificance.

**13. WASTEWATER - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project will be served by the Oceano Community Services District for wastewater disposal. This system is currently operating at acceptable levels and the system has the capacity to support existing commitments in addition to the proposed project.

**Impact.** The project proposes to use a community system (OCSD) as its means to dispose of wastewater. Based on the proposed project, the proposed community system has the capacity to handle the project's additional effluent.

**Mitigation/Conclusion.** Given that the system is currently operating at acceptable levels and that it has the capacity to support existing commitments in addition to the proposed project, no mitigation measures are necessary.

14. WATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any water quality standards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Change the quantity or movement of available surface or ground water?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Adversely affect community water service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project proposes to use a community system (OCSD) as its water source. The Environmental Health Division has reviewed the project for water availability and has determined that there is preliminary evidence that there will be sufficient water available to serve the proposed project. Based on available information, the proposed water source is not known to have any significant availability or quality problems.

The topography of the project is nearly level. The closest creek, Arroyo Grande Creek, from the proposed development is approximately 0.4 miles away. As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility.

Projects involving more than one acre of disturbance are subject to preparing a Storm Water Pollution Prevention Plan (SWPPP) to minimize on-site sedimentation and erosion. When work is done in the rainy season, the County Ordinance requires that temporary sedimentation and erosion control measures be installed during the rainy season.

**Impact.** On water use, based on the project description, as shown below, a reasonable "worst case" indoor water usage would likely be about 39.1 acre feet/year (AFY)

46 residential lots @ 0.85 afy = 39.1 afy

Source: "City of Santa Barbara Water Demand Factor & Conservation Study "User Guide" (Aug., 1989)

Regarding surface water quality, as proposed, the project will result in the disturbance of approximately 6.5 acres. The project is not within close proximity to surface water sources.

**Mitigation/Conclusion.** Since no potentially significant water quantity impacts were identified, no specific measures above standard requirements have been determined necessary. Standard drainage and erosion control measures and a SWPPP will be required for the proposed project and will provide sufficient measures to adequately mitigate erosion and sedimentation impacts and protect surface water quality.

15. LAND USE - Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) <i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting/Impact.** Surrounding uses are identified on Page 2 of the Initial Study. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Local Coastal Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CDF for Fire Code, APCD for Clean Air Plan, etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

The project is not within or adjacent to a Habitat Conservation Plan area. The project is consistent or compatible with the surrounding uses as summarized on page 2 of this Initial Study.

**Mitigation/Conclusion.** No inconsistencies were identified and therefore no additional measures above what will already be required was determined necessary.

1-104

**16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:**

Potentially Significant

Impact can & will be mitigated

Insignificant Impact

Not Applicable

- a) *Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*
- ☐ ☐ ☒ ☐
- b) *Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)*
- ☐ ☒ ☐ ☐
- c) *Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*
- ☐ ☒ ☐ ☐

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Review", or the California Environmental Resources Evaluation System at "http://ceres.ca.gov/topic/env\_law/ ceqa/ guidelines/" for information about the California Environmental Quality Act.

**Exhibit A - Initial Study References and Agency Contacts**

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an [

<b><u>Contacted</u></b>	<b><u>Agency</u></b>	<b><u>Response</u></b>
<input checked="" type="checkbox"/>	County Public Works Department	In File**
<input checked="" type="checkbox"/>	County Environmental Health Division	In File**
<input checked="" type="checkbox"/>	County Agricultural Commissioner's Office	In File**
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input checked="" type="checkbox"/>	Air Pollution Control District	In File**
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input checked="" type="checkbox"/>	Regional Water Quality Control Board	None
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input type="checkbox"/>	CA Department of Fish and Game	Not Applicable
<input type="checkbox"/>	CA Department of Forestry	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Transportation	None
<input checked="" type="checkbox"/>	OceanoCommunity Service District	In File**
<input checked="" type="checkbox"/>	Other <u>Bill Robeson, County of SLO</u>	In File**
<input checked="" type="checkbox"/>	Other <u>County General Services</u>	In File**(Quimby Fees)

\*\* "No comment" or "No concerns"-type responses are usually not attached

The following checked ("[X]") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

☒ Project File for the Subject Application

**County documents**

- ☐ Airport Land Use Plans
- ☒ Annual Resource Summary Report
- ☐ Building and Construction Ordinance
- ☐ Coastal Policies
- ☒ Framework for Planning (Coastal & Inland)
- ☒ General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:
  - ☒ Agriculture & Open Space Element
  - ☒ Energy Element
  - ☒ Environment Plan (Conservation, Historic and Esthetic Elements)
  - ☒ Housing Element
  - ☒ Noise Element
  - ☐ Parks & Recreation Element
  - ☒ Safety Element
- ☒ Land Use Ordinance
- ☐ Real Property Division Ordinance
- ☐ Trails Plan
- ☐ Solid Waste Management Plan
- ☐ Area Plan and Update EIR
- ☐ Circulation Study

1-106

In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

**“Avocado Ranch Historic . . .” Greenwood and Associates, August 2005.**

**“Cultural Resources Survey . . .” C.A. Singer and Associates, May 2005.**

**“Phase II Archeaeological Testing . . .” C.A. Singer and Associates, September, 2005**

**“SUB2004-00389 – Monterey Pine Impacts” Arbor First, November 1, 2005 (submission date)**

**Exhibit B - Mitigation Summary Table****Aesthetics**

- AE-1 Prior to issuance of construction permits**, the applicant shall provide construction drawings that illustrate construction methods and designs to minimize impacts to neighboring trees. The plans shall include the location of tree protection fencing to be utilized during construction.
- AE-2 Prior to final inspection**, the applicant shall submit a report to the Planning and Building Department from a certified arborist that the construction methods and designs illustrated in the project plans (see AE-1) have been implemented to the extent feasible. Any changes to the approved plans that were made in the field shall be documented by the arborist.

**Air Quality**

- AQ-1 Prior to issuance of construction permits**, the following measures shall be incorporated into the construction phase of the project and shown on all applicable plans:
- a. Reduce the amount of the disturbed area where possible.
  - b. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible.
  - c. All dirt stock-pile areas should be sprayed daily as needed.
  - d. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible.
  - e. Building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- AQ-2 Prior to issuance of building permits, in the instance wood burning stoves are proposed**, the applicant shall submit building plans showing the use of APCD-approved wood burning devices limited to the following:
- a. All EPA-Certified Phase II wood burning devices;
  - b. Catalytic wood burning devices that emit less than or equal to 4.1 grams per hour of particulate matter that are not EPA-Certified but have been verified by a nationally-recognized testing lab;
  - c. Non-catalytic wood burning devices that limit less than or equal to 7.5 grams per hour of particulate matter that are not EPA-Certified but have been verified by a nationally-recognized testing lab;
  - d. Pellet-fueled woodheaters, and;
  - f. Dedicated gas-fired fireplaces.

**Agricultural Resources**

- AR-1** The applicant shall provide supplemental disclosure to purchasers of the properties concerning the existing and potential intensive agricultural operations on nearby properties, including but not limited to dust, noise, odors, agricultural chemicals, and the County's Right-To-Farm Ordinance.

**Cultural Resources**

- CR 1 Prior to issuance of construction permits or improvement plans**, the applicant shall submit a monitoring plan prepared by a subsurface qualified archaeologist, for the review and

approval of the Environmental Coordinator. The monitoring plan consider the findings of the previous pertinent reports (Singer 9/6/05, Gibson; 7/31/97) and shall include:

- a. List of personnel involved in the monitoring activities;
- b. Description of how the monitoring shall occur;
- c. Description of frequency of monitoring (e.g. full-time, part time, spot checking);
- d. Description of what resources are expected to be encountered;
- e. Description of circumstances that would result in the halting of work at the project site (e.g. What is considered "significant" archaeological resources?);
- f. Description of procedures for halting work on the site and notification procedures;
- g. Description of monitoring reporting procedures.

#### **Traffic**

**T-2** **Prior to map recordation** the applicant agrees to construct road improvements as required by the Department of Public Works (25<sup>th</sup> Street Basin, Elm). Utilities shall be underground. Drainage plan will be included with improvement plans when submitted for review.



1-109

DATE: December 6, 2005

**DEVELOPER'S STATEMENT FOR  
TAKKEN TRACT MAP  
SUB2004-00389; ED05-130**

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All development activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

**Note:** The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

The following mitigation measures address impacts that may occur as a result of the development of the project.

**Aesthetics**

- 1 Prior to issuance of construction permits**, the applicant shall provide construction drawings that illustrate construction methods and designs to minimize impacts to neighboring trees. The plans shall include the location of tree protection fencing to be utilized during construction.
- 2 Prior to final inspection**, the applicant shall submit a report to the Planning and Building Department from a certified arborist that the construction methods and designs illustrated in the project plans (see AE-1) have been implemented to the extent feasible. Any changes to the approved plans that were made in the field shall be documented by the arborist.

**Monitoring:** The County Department of Planning and Building shall verify implementation of above mitigation measures.

**Air Quality**

- 3 Prior to issuance of construction permits**, the following measures shall be incorporated into the construction phase of the project and shown on all applicable plans:
  - a. Reduce the amount of the disturbed area where possible.
  - b. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible.
  - c. All dirt stock-pile areas should be sprayed daily as needed.
  - d. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible.
  - e. Building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

**Monitoring:** The County Department of Planning and Building shall verify implementation of above mitigation measures.

- 4 Prior to issuance of building permits, in the instance wood burning stoves are proposed**, the applicant shall submit building plans showing the use of APCD-approved wood burning devices limited to the following:
  - a. All EPA-Certified Phase II wood burning devices;

1-110

- b. Catalytic wood burning devices that emit less than or equal to 4.1 grams per hour of particulate matter that are not EPA-Certified but have been verified by a nationally-recognized testing lab;
- c. Non-catalytic wood burning devices that limit less than or equal to 7.5 grams per hour of particulate matter that are not EPA-Certified but have been verified by a nationally-recognized testing lab;
- d. Pellet-fueled woodheaters, and;
- f. Dedicated gas-fired fireplaces.

**Monitoring:** The County Department of Planning and Building shall verify implementation of above mitigation measures.

### **Agricultural Resources**

- 5 The applicant shall provide supplemental disclosure to purchasers of the properties concerning the existing and potential intensive agricultural operations on nearby properties, including but not limited to dust, noise, odors, agricultural chemicals, and the County's Right-To-Farm Ordinance.

**Monitoring:** The County Department of Planning and Building shall verify implementation of above mitigation measures.

### **Cultural Resources**

- 6 **Prior to issuance of construction permits or improvement plans**, the applicant shall submit a monitoring plan prepared by a subsurface qualified archaeologist, for the review and approval of the Environmental Coordinator. The monitoring plan consider the findings of the previous pertinent reports (Singer 9/6/05, Gibson; 7/31/97) and shall include:
- a. List of personnel involved in the monitoring activities;
  - b. Description of how the monitoring shall occur;
  - c. Description of frequency of monitoring (e.g. full-time, part time, spot checking);
  - d. Description of what resources are expected to be encountered;
  - e. Description of circumstances that would result in the halting of work at the project site (e.g. What is considered "significant" archaeological resources?);
  - f. Description of procedures for halting work on the site and notification procedures;
  - g. Description of monitoring reporting procedures.

**Monitoring:** The County Department of Planning and Building shall verify implementation of above mitigation measures.

### **Traffic**

- 7 **Prior to map recordation** the applicant agrees to construct road improvements as required by the Department of Public Works (25<sup>th</sup> Street Basin, Elm). Utilities shall be underground. Drainage plan will be included with improvement plans when submitted for review.

**Monitoring:** The County Department of Public Works shall verify completion of improvements.

*The applicant understands that any changes made to the project description subsequent to this*

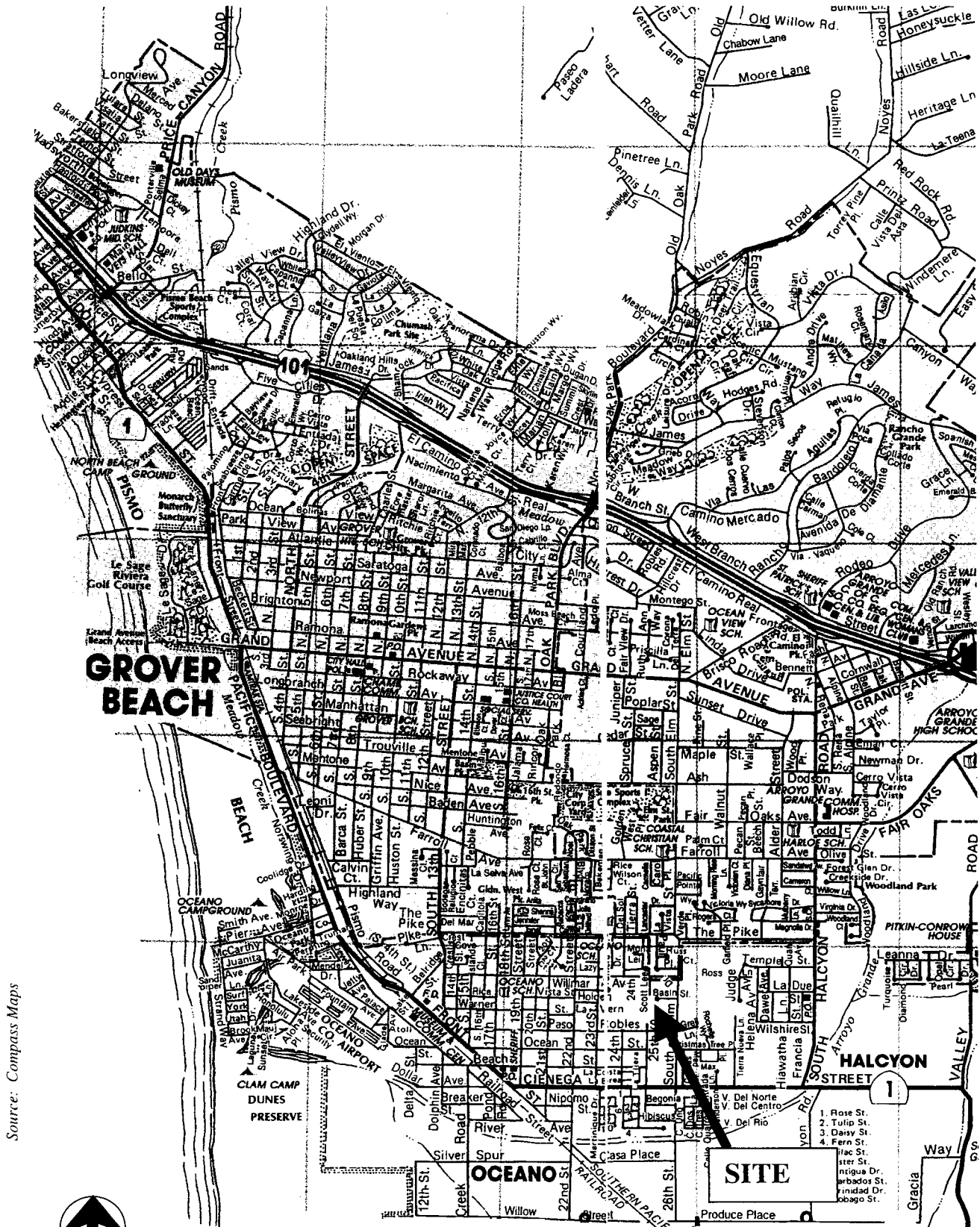
1-111

*environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.*

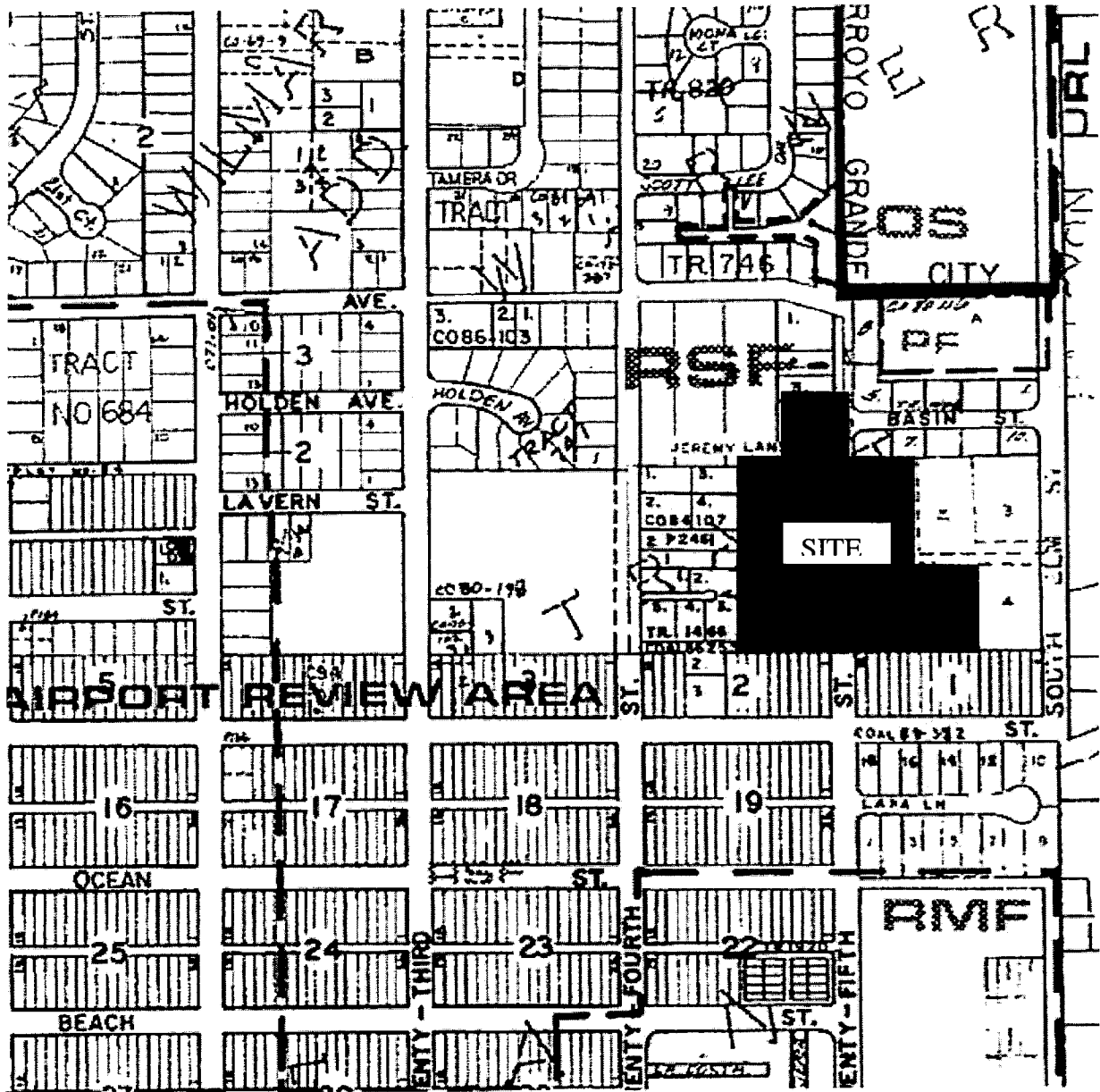
C. O'C  
Signature of Owner(s)

12/12/05  
Date

CASEY O'CONNOR  
Name (Print)



**NORTH**  
Not to Scale



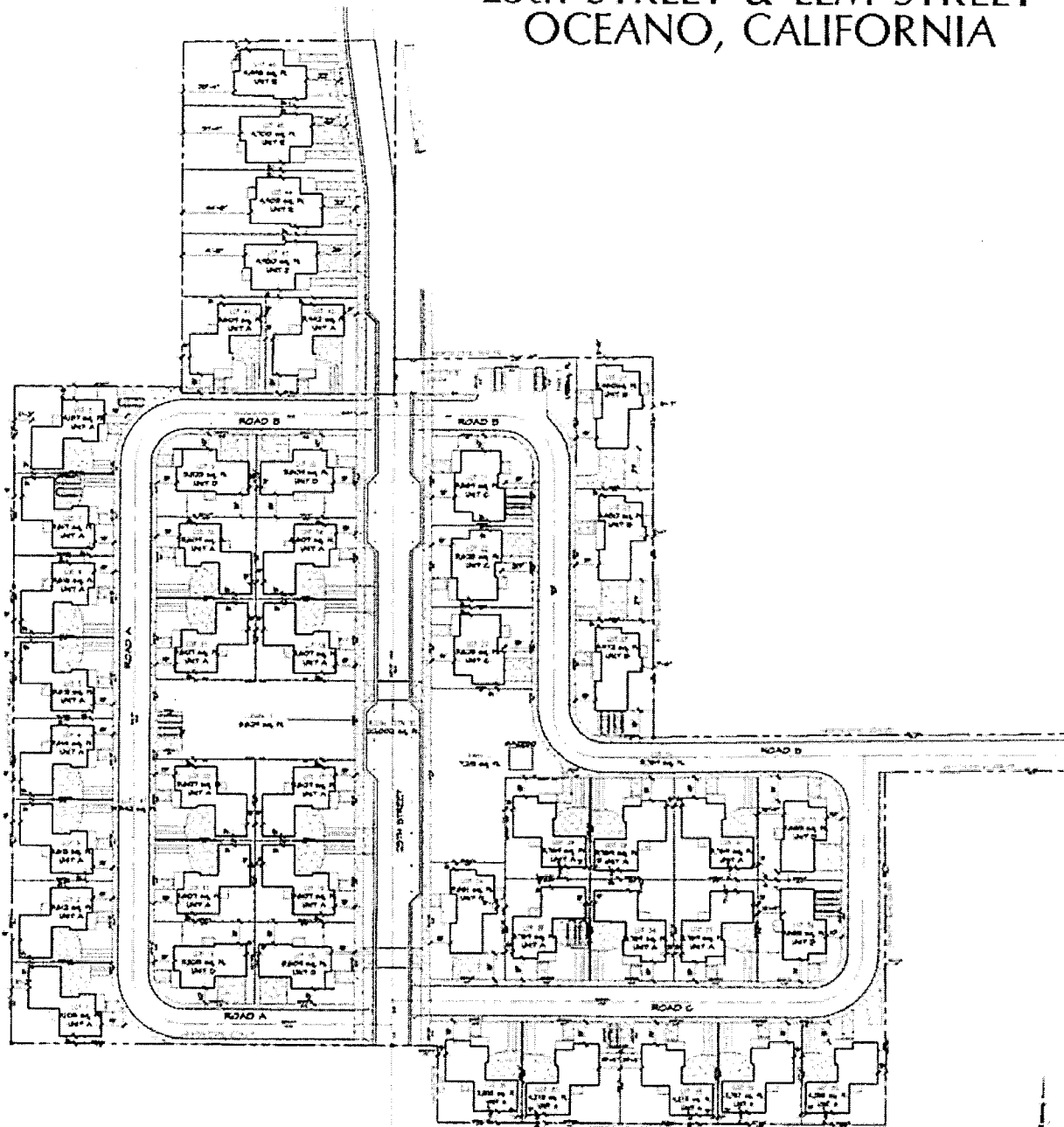
Source: County of San Luis Obispo



NORTH  
Not to Scale

LUC MAP  
FIGURE 2

# 25th STREET & ELM STREET OCEANO, CALIFORNIA



Source: County of San Luis Obispo



**NORTH**  
Not to Scale

**SITE PLAN  
FIGURE 3**